This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

3 3433 07851508 1

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

THE

CALCUTTA REVIEW,

9636

VOLUME XLI.

1865.

'No man, who hath tasted learning, but will confess the many ways of profiting by those, who, not contented with stale receipts, are able to manage and set forth new positions to the world: and, were they but as the dust and cinders of our feet, so long as in that notion, they may yet serve to polish and brighten the armoury of truth, even for that respect, they were not utterly to be cast away.'—MILTON.

R. C. LEPAGE & CO., 2, DALHOUSIE SQUARE, CALCUTTA,
AND
1, WHITEFRIARS' STREET, FLEET STREET, LONDON, E. C.

1865.

Digitized by Google

THE NEW YORK
PUBLIC LIBRARY
13996B
ASTOR, LENOX AND
TILDEN FOUNDATIONS
B 1889 L

Digitized by Google

CALCUTTA REVIEW.

NUMBER LXXXI.

CONTENTS.

PAGE.

ART. I. THE BIRDS OF INDIA.

1. JERDON'S BIRDS OF INDIA, 3 VOLS. CALCUTTA: G. WYMAN & Co. 1864.
2. MR. BLYTH'S PAPERS ON INDIAN BIRDS, IN JOURNALS OF ASIATIC SOCIETY OF BENGAL, 1841 TO 1862.
3. A CENTURY OF BIRDS FROM THE HIMALAYA MOUNTAINS, BY J. GOULD, ESQ. LONDON.
4. THE BIRDS OF ASIA, BY THE SAME AUTHOR, IN YEARLY PARTS. NOT YET COMPLETED.
5. B. H. HODGSON, B. C. S. VARIOUS PAPERS IN THE JOURNAL OF THE ASIATIC SOCIETY OF BENGAL AND THE CALCUTTA JOURNAL OF NATURAL HISTORY.
6. REV. J. G. WOOD'S NATURAL HISTORY. ILLUSTRATED. ROUTLEDGE & Co. LONDON, 1863, 3 VOLS. 1

„ II. THE POLICE OF BENGAL.

1. PAPERS RELATING TO THE REFORM OF THE POLICE IN INDIA. CALCUTTA, 1861.
2. REPORT ON THE POLICE ESTABLISHMENTS OF THE DIVISION OF CHOTA NAGPORE.
3. FINAL REPORT ON THE POLICE ESTABLISHMENTS OF THE LOWER PROVINCES OF BENGAL.
4. REPORT ON THE POLICE OF THE CITY OF CALCUTTA.
5. SECOND ANNUAL REPORT OF THE WORKING OF THE CIVIL CONSTABULARY, LOWER PROVINCES, BENGAL, ... 26

39X272

Digitized by Google

PAGE.

ART. III. THE CONNECTION OF INDIA WITH ENGLAND.
THE EMPIRE. A SERIES OF LETTERS BY GOLDWIN SMITH, 1863. LETTER XVIII. INDIA 69

„ IV. KAYE'S SEPOY WAR.
A HISTORY OF THE SEPOY WAR IN INDIA, 1857-58. BY JOHN WILLIAM KAYE, AUTHOR OF THE 'HISTORY OF THE WAR IN AFGHANISTAN,' IN THREE VOLUMES, VOL. I. LONDON, W. H. ALLEN & CO. 13, WATERLOO PLACE, 1864, ... 45

„ V. JOUNPORE.
1. JOUNPORENAMAH BY FUQUEER KHAIROODDEEN MAHOMED ALLAHABADI; PERSIAN M. S.
2. FERISHTA'S HISTORY OF KINGS OF JOUNPORE, TRANSLATED BY BRIGGS, ... 114

„ VI. AN AMENDED RENT LAW.
1. ACT X. OF 1859.
2. RULINGS OF THE SUDDER LAND HIGH COURTS IN RENT SUITS.
3. MINUTE OF SIR BARNES PEACOCK.
4. UNPUBLISHED MINUTES OF THE JUDGES OF THE HIGH COURT.
5. BENGAL RYOTS, THEIR RIGHTS AND LIABILITIES 159

„ VII. SIR HUGH ROSE.
1. PARLIAMENTARY PAPERS RELATING TO THE WAR IN THE CRIMEA, &C. &C.
2. GENERAL ROSE AND STUART'S INDIAN CAMPAIGNS. LOWE.
3. GENERAL ORDERS BY HIS EXCELLENCY THE COMMANDER-IN-CHIEF, 1860—65 ... 169

„ VIII. SHORT NOTICES OF BOOKS.
1. A LETTER ADDRESSED TO THE EDITOR OF THE CALCUTTA ENGLISHMAN BY MR. JOHN DICKINSON, DATED FEBRUARY 1865, ... 215
2. MILITARY SKETCHES, BY SIR C. F. LASCELLES WRAXALL. BART. AUTHOR OF 'THE ARMIES OF EUROPE.' LONDON. WILLIAM H. ALLEN & CO. 13, WATERLOO PLACE, 1864, ... 217

Digitized by Google

PAGE.

3. 'A PLEA FOR CHAPLAINS.' CALCUTTA: METROPOLITAN PRESS. 1865 220

4. EARLY TRAVELS IN INDIA, BEING REPRINTS OF RARE AND CURIOUS NARRATIVES OF OLD TRAVELLERS IN INDIA, IN THE SIXTEENTH AND SEVENTEENTH CENTURIES. FIRST SERIES COMPRISING PURCHAS'S 'PILGRIMAGE' AND THE 'TRAVEL OF VAN LINSCHOTEN.' CALCUTTA. PRINTED AT THE ENGLISHMAN PRESS, 2, HARE STREET, AND PUBLISHED BY R. C. LEPAGE & CO. 1864, ... 221

Digitized by Google

Digitized by Google

CALCUTTA REVIEW.

NUMBER LXXXII.

CONTENTS.

PAGE.

ART.—I. CRIMINAL ADMINISTRATION IN BENGAL.

1. PAPERS RELATING TO THE SYSTEM OF POLICE IN THE BENGAL PRESIDENCY (1857.)
2. SELECTIONS FROM THE RECORDS OF GOVERNMENT. PAPERS RELATING TO THE REFORM OF THE POLICE IN INDIA (1861.) ... 225

ART. II.—STUDIES OF THE CALCUTTA UNIVERSITY.

I. CALCUTTA UNIVERSITY CALENDERS FOR 1862-63, 63-64, 64-65. CALCUTTA, THACKER SPINK AND CO.
2. A REVIEW OF PUBLIC INSTRUCTION IN THE BENGAL PRESIDENCY FROM 1805 TO 1851, BY J. KERR, M.A., PRINCIPAL OF HOOGHLY COLLEGE, CALCUTTA, 1852.
3. PAPERS CONNECTED WITH THE QUESTION OF ERECTING A UNIVERSITY BUILDING AND ESTABLISHING UNIVERSITY PROFESSORSHIPS AND SCHOLARSHIPS. CALCUTTA, 1862. ... 297

ART. III.—THE EARLY FRENCH IN INDIA.

I. INDE, PAR M. DUBOIS DE JANCIGNY, AIDE-DE-CAMP DU ROI D'OUDE, ET PAR M. XAVIER RAYMOND, ATTACHE A L'AMBASSADE DE CHINE. PARIS, FIRMIN DIDOT FRERES, 1845.
2. NOUVELLE BIOGRAPHIE GENERALE DEPUIS LES TEMPS LES PLUS RECULES JUSQU'A NOS JOURS. PARIS, FIRMIN DIDOT FRERES, 1861.

Digitized by Google

3. The Modern part of an Universal History, from the earliest accounts, to the present time, compiled from the Original Authorities. London, 1781.
4. A History of the Mahrattas by James Grant Duff, Esq., London: Longmans, 1826.
5. Carnatic Chronology. By Charles Philip Brown, late of the Madras Civil Service. London, Bernard Quaritch, 15, Piccadilly.
6. Histoire, Generale de l'Inde, Ancienne et Moderne, par M. de Marles, Paris, 1828. 318

Art. IV.—LAND TENURE IN THE NORTH-WEST PROVINCES 350

Art.—V. INDIAN AGRICULTURAL EXHIBITIONS.

1. Journals of the Agricultural and Horticultural Society.
2. Krishi Durpan, or Mirror of Agriculture, by Hurry Mohun Mookerjee, Bengali.
3. Krishi Patha, or Agricultural Lessons, Published under the auspices of the Agricultural and Horticultural Society, Bengali.
4. A Lecture on the Productive Resources of India, delivered before the Dalhousie Institute, by F. J. Mouat, Esq., M.D.
5. The Minute of the Lieutenant-Governor.
6. Letter from W. S. Atkinson, Esq., Director of Public Instruction, to the Agricultural and Horticultural Society, No. 2770, dated the 25th August, 1864. 365

Art. VI.—THE GREAT RENT CASE.

Judgments in the Rent Case, delivered by the High-Court, June 19-1865. Calcutta: O. T. Cutter, Military Orphan Press. 398

Art. VII.—SHORT NOTICES.

Cawnpore by G. O. Trevelyan, Author of the Competition-wallah.

Digitized by Google

1. MANUAL OF GARDENING FOR BENGAL AND UPPER INDIA, BY THOMAS A. C. FIRMINGER, M.A.; CHAPLAIN ON THE BENGAL ESTABLISHMENT. LONDON: R. C. LEPAGE AND CO., 1, WHITEFRIARS STREET, FLEET STREET, AND DALHOUSIE-SQUARE, CALCUTTA, 1864.

THE DOLOMITE MOUNTAINS, EXCURSIONS THROUGH TYROL, CARINTHIA, CARNIOLA, AND FRIULI, IN 1861, 1862, AND 1863, BY JOSIAH GILBERT, AND G. C. CHURCHILL, F.G.S., LONDON: LONGMAN, GREEN, LONGMAN, ROBERTS, AND GREEN, 1864.

FIVE WEEKS' SPORT IN THE INTERIOR OF THE HIMALAYS, TOGETHER WITH A DESCRIPTION OF THE GAME FOUND THERE. ALSO A FEW HINTS REGARDING EQUIPMENT, &C., BY CAPTAIN H. V. MATHIAS, H. M. BENGAL STAFF CORPS. LONDON: FRANZ THIMM, BOOKSELLER AND PUBLISHER, 3, BROOK STREET, GROSVENOR SQUARE, 1865 419

Digitized by Google

Digitized by Google

THE

CALCUTTA REVIEW.

No. LXXXI.

ART. I.—1. *Jerdon's Birds of India*, 3 vols. Calcutta: G. Wyman and Co. 1864.

2. *Mr. Blyth's Papers on Indian Birds, in Journals of Asiatic Society of Bengal*, 1841 *to* 1862.

3. *A Century of Birds from the Himalaya Mountains*, by J. Gould, Esq. London.

4. *The Birds of Asia*, by the same author, in yearly parts. Not yet completed.

5. *B. H. Hodgson, B. C. S., various papers in the Journal of the Asiatic Society of Bengal and the Calcutta Journal of Natural History.*

6. *Rev. J. G. Wood's Natural History, Illustrated.* Routledge and Co., London, 1863, 3 vols.

ONE of the earliest writers on Indian scientific subjects, has observed, that it is a mistake to suppose that Natural Science is so abstruse as to be beyond the comprehension of the common reader, and that the character of difficulty, which has attached itself to it, is attributable more to the manner in which writers treat of this subject, than to the subject itself. We find that this is as true of Ornithology as of any other science, for it is from the obscurity and difficulty which are thrown over the study of this and other branches of enquiry in the operations of nature, that most who would otherwise take an interest in the subject are deterred from doing so. There are, without doubt, many whom the first glimpse of a long word ending in 'ology' frightens from the study of the subject it describes, the termination being in fact a strict guardian which keeps its treasure unassailed by the common herd.

On subjects of Natural History especially, a class of books, free from scientific names, and treating of the works of nature in a popular form, has cumh been needed, and the want has

Digitized by Google

lately been to a great measure supplied by the Rev. J. G. Wood's Natural History, which, combining as it does, good figures, with the best accounts extant of the animals of which it treats, deserves to meet with great success, and as it contains both notices and illustrations of several of our Indian forms, will prove of great assistance to, and will be deservedly popular with, those in this country who are fond of the subject.

Our object however in this paper, is not to treat so much of Natural History in general, as of Ornithology in particular, or, to leave out the objectionable Greek 'ology,' to say something about birds, more especially the birds of this country.

The best book on the subject is one which has just appeared in three volumes, by Dr. Jerdon, entitled 'the Birds of 'India.' This work, when considered as a text book for the student, cannot receive too much praise. The author has evidently laboured hard to find out from contemporary writers on general Ornithology all that has ever been written on Indian Birds, and the number of writers he has had occasion to consult,—one hundred and twenty in number,—a list of whom is given in the third volume,—will give some slight idea of the labour required to work up references. For these references, as he observes in his prospectus, it is necessary to search through voluminous transactions of learned societies and scientific journals, and, if we add to this the fact, that such works are not easily procurable in India, and also that in perhaps half a dozen scattered notices of the same bird, by different writers, each one calls it by a different name or synonym, some idea may be formed of the labour involved.

Now we cannot, as it stands at present, call this work of Dr. Jerdon's a *popular* work. It is not one in which a man totally unacquainted with Ornithology is likely to find out all that he wants with regard to the name or history of any particular bird. The book is, what it professes to be, a manual, and presupposes the reader to be a student of the subject,—to have a knowledge of the characteristics of the leading differences between the well marked divisions of birds, to know in fact, without requiring to be told, that a mynah belongs to the starling family, or a king crow to that of the shrikes. But it is a work which, of its kind, we may say, has seldom been excelled by any writer in any country. We must bear in mind, that it is the first of its class published in India,—a fact which adds considerably to the difficulties it had to encounter. Like all first attempts it is liable to errors which a second edition will probably correct.

The author entitles his work the 'Birds of India,' but does

Digitized by Google

not include in it the birds of Assam or Burmah. These he proposes to treat of hereafter, and he has not done so in the present volumes for fear of making them too bulky. Now the work can scarcely be called complete, unless it give all the birds that are to be found in all those parts of British India in which a traveller may have occasion to wander. We hope therefore that Dr. Jerdon will soon have leisure enough to turn his attention again to this point. The boundaries too which he adopts are in fact purely arbitrary, so much so, that while the birds of Darjeeling enter within his limits, and in fact form a bulky portion of the work, the faunæ found in the neighbouring, and, geographically, strictly similar, country of Bhootan are not included.

To make his work more popular several things are needed.

First:—Illustrations. To any one, naturalist or not, a good coloured drawing of a bird gives a much better idea of the genus and species than any written description. It is therefore much to be wished that Dr. Jerdon will carry out his intention of publishing a supplementary volume of Illustrations, giving a bird of each sub-family, and details of the chief genera. That such an addition would much enhance the value of the work, there can be but little doubt, for many, who now know nothing of the subject, would, by the aid of figures, find out something of the name and habits of any bird they might light on, and by doing this once or twice, would acquire a taste for the subject which would increase by study.

Secondly:—A good analytical Index giving the English and popular names of all the commoner species, as well as the native names by which they are known in the different dialects of India, and the derivations and meanings of the Latin and Greek words used in nomenclature. An Index of all the known synonyms would also be most useful to the student, to enable him, without going through a long process, to find out the modern name of a bird, classed by some closet naturalist, forty or fifty years ago.

A bird is essentially a thing of life, air, and freedom, pleasing us not only by its sprightly form and peculiar habits, but by presenting in many ways such different aspects of interest, that even a child naturally takes to a bird as something to love and cherish. An account of the habits of birds ought therefore, if intended to be popular, to have a certain freedom of description about it; it ought to tell us pleasantly of that wonderful instinct, which, year by year, with never-failing regularity, prompts them to wander into distant and barren lands beyond the Himalayas, or into the wild jungles of Central India; it should bring before us instances (as Mr. Theobald well ex-

Digitized by Google

presses it) 'of the varied and touching instances of craft and de-'votion which the maternal στὸργη prompts for the concealment 'and preservation of the callow brood either from natural ene-'mies or unforeseen perils.'

In the introduction to his first volume Dr. Jerdon gives a sketch of the anatomical structure of birds, and of the scientific terms applied to the different parts of their bodies, together with remarks on their general intelligence and the place they hold in the scale of animated nature. His observations in this portion of his work on the migration of Indian birds are well worthy of perusal, but much yet remains to be correctly ascertained under this head. Further information also is required on the identification and colour of the eggs of species generally, and of the song notes of the small warblers. The difference between a variety and a species is as clearly defined as it is possible to do, considering what conflicting views are held by most writers, and, in support of his opinions, Dr. Jerdon quotes an interesting paper of Mr. Blyth's on the variation of affined species. We are altogether much in the dark as yet, as to the natural divisions which exist between genera, and shall remain so until some second Linnæus can hit off the happy natural arrangement, but Dr. Jerdon's remarks under this head afford a clearer insight into this subject than is generally obtainable from works of reference.

The birds of England and of Europe, generally, have been treated of now by so many authors, that little remains to be discovered regarding their habits, whereas of the birds of India, especially of those in the Himalayas, much has yet to be learnt. But with the help of Dr. Jerdon's works for classification and arrangement, and as a standard for reference, we may hope in a few years to boast of elaborate books on the Indian species fully equal to those magnificent works compiled by foreign authors.

The number of species of birds described in the 'Birds of 'India' are a thousand and sixteen, and when we consider that the number of the birds of Europe amounts only to four hundred and sixty species, of which, according to Yarrell, only three hundred and twenty-five are found in the British Islands, some idea may be formed of the immense field open to the ornithologist in this country. The best coloured illustrations of Indian birds hitherto published are to be found in 'Gould's Cen-'tury of Himalayan birds,' and in his more recent 'Birds of Asia.' Most of the figures are life size, and beautifully executed, but the high price,—three guineas per annual part of sixteen plates,—places the latter work beyond the reach of most individuals. Gould seems to think that we have still many forms among the

Digitized by Google

Himalayan birds yet unknown to Science. The vast primœval forests of the southern slopes of the Himalayas, he says, extending over an area embracing many degrees of longitude, must still contain an abundance of undiscovered stores for the student of Zoölogy, for if we find such conspicuous objects as the members of the genus *Urocissa* differing in countries only a few degrees apart, there also will be found numerous species of more diminutive birds, insects, and animals, which are at present unknown to us. This opinion we think will be fully borne out, and it is hoped that some of the officers accompanying the Bhootan force will turn their attention to the glorious productions of nature in that almost unknown country.

In India, as in almost every other country of the civilized world, Natural History, and more especially that part of it termed Zoology, has of late years been making rapid progress, and surely there is no country better situated than Bengal for becoming celebrated for the number and extent of its varieties, and for the rareness of its specimens. Fertile indeed, as may be the regions of South America in the productions of animated nature, that field has been repeatedly traversed by the most celebrated men of science in modern times; and travellers, well qualified and observant, have at different periods favoured the world with their researches, made during a long residence on that continent. But India has not, until comparatively within the last few years, been viewed by Englishmen as the rich mine of the treasures of science it really is; and though foreign nations have sent out able naturalists to travel through the country and to stretch forth their hands on all they could seize in the line of march, yet the very nature of a travelling zoologist's occupation is such as to prevent him from grasping at more than a few of the gems on the surface. He may collect and preserve, he may take home and classify, but much is set down in haste, much is forgotten, and he cannot become all at once the finished observer of Nature and all her secrets, while the manners, the habits, the various interesting points of character, only to be developed by a long and intimate acquaintance with the animals he meets, must be to him unknown. This knowledge can only be acquired through the labours of men, not better qualified, but more favourably situated for an unremitting study of Zoology, than himself.

Sensible of this hiatus in the labours of travelling naturalists, lovers of Natural History have established menageries and aviaries at home, to make up, so far as close intercommunion with animals in confinement can make up, for the deficiency of knowledge felt, after all had been gleaned from books and collec-

Digitized by Google

tions. But Natural History must be pursued by means other than those at the disposal of the casual observer of wild animals in foreign countries, or of the closet naturalist, who views his specimens, only when deprived of their greatest value, life. A true naturalist must go forth into the wilderness. He must follow the object of his much loved service into the depths of the forest to their native haunts, with the intent to observe rather than to destroy, and there, undistracted by other thoughts and elevated by the magnificent scenery around him, he will behold their caresses or their cruelties, their force or their stratagems, and will feel that Nature is now unfettered,—that these birds, like himself, are free. How different is the state of mind of the man so situated, from that of him, who only looks through the bars of a dungeon upon the miserable animals confined within? The one views Nature with the eye of a classifier alone, anxious to find out some petty point of distinction, some little difference upon which to found a genus: the other regards her with all the enthusiam of a lover; the one strives to bend her to his system; the other would embrace her own. To this man Nature is all in all; and system is valued but as an interpreter of Nature.

On the subject of the many theories which have been started with regard to the reasons operating on the distribution of birds in India, we are of opinion that this distribution depends directly on the distribution of plants. Mr. Hodgson divides the Himalaya into four zoological regions:—*First:* the Terai or low belt of jungle at the foot of the hills. *Second:* the lower hilly region. *Third:* the central hilly region. *Fourth:* the northern hilly region; and to this may be added a *Fifth:* the Transnivean Thibetian region.

Now—in whatever measure these divisions hold good with regard to mammals, we cannot but help thinking that they are decidedly arbitrary with regard to birds. Our opinion is this:—that as the flora of a place is dependent on the temperature, and the insects dependent on the flora, so the birds, by being to a great extent dependent on insect food, are to be found to range according to the vegetation.

In the low valleys of the Himalayas, where heat and moisture combine to form a very tropical vegetation, we find the very finest forms of insects are developed, and those birds frequenting the same region are generally nearly allied, as well as the insects, to the tropical forms found further south in the Islands of the Indian Archipelago, where the vegetation is of much the same character. The higher up the mountain sides we go, we find the birds and insects vary according to the zones of vegetation,

Digitized by Google

and these, as may be seen from Dr. Hooker's Himalayan journals, are invariably well defined even up to the snowy range. The birds and insects found at eight to ten thousand feet and upwards, are mostly of European forms, and, like them, are only found in temperate climes, never, by any chance, descending into the valleys. Higher still, near and across the snows, we find representatives of the faunœ of Northern Europe and of the steppes of Siberia. It is generally thought that the abundance or scarcity of food is the cause of the migration of birds, and it will probably be also found, that the level in a mountain which produces food similar to that of temperate European climes will support insects and birds of nearly allied genera over Europe and Asia.

How then, it may be asked, are some of our English birds,—denizens of a cold climate,—ever found in the plains of India? We answer that they are not found in the plains of India, except in the cold weather, when our climate most resembles that of an English summer, when the vegetation is at rest, and when the insects and other food assimilate very nearly to those obtainable in England.

Numbers of our Indian birds only appear in the plains in the colder months. They retire to the hills for the purpose of incubation at that temperature which best supplies them with the food they perfer, and, after rearing their young, wait until the reduction of the temperature of the hills drives their insect food lower down. Migration appears to be a natural instinct both with men and animals, and, in almost all cases, will be found to depend on the abundance or scarcity of food. In a paper on the subject of migration, Mr. Hodgson remarks that he is led to conclude from observations made in Nepaul that the mass of the swimming and wading birds are found in the plains of India only during the cold months, for they all arise in the valley of Nepaul from the north, and at the close of the rains they all as regularly re-appear from the south. He further notices that the wading birds which pass over the valley of Nepaul are much more numerous than the swimming birds, and that observation in the plains of India would probably prove that this is a just and decisive indication of the superior prevalence of wading over swimming birds in that extensive region. India, he imagines, is too hot for the taste of swimming birds, a great majority of which seem to affect Arctic regions or at least high latitudes. This observation is agreeable to what we learn of the manners of these birds in high northern latitudes. And, on reference to Jerdon's works, we find the number of the species natatores, or swimming birds, to be only sixty-

Digitized by Google

four, while those of the prallatores are one hundred and seven, thus bearing out Hodgson's observations.

It is a fact not generally known in India that several of our English birds are found also in this country. Among the hawk tribe we may name the hobby, the merlin, the kestril, the goshawk, the hen harrower, Montague's harrower, the common buzzard, the March harrower, and the sparrow hawk, all of which are found in different parts of India chiefly during the cold weather.

There are besides among the birds of prey (raptores) the following which are included in Yarrell's list of the birds of the British Islands, and which Dr. Jerdon also includes in his 'Birds 'of India.'

The white scavenger vulture.
The golden eagle.
The spotted eagle.
The peregrine falcon.
The osprey.
The led legged falcon.

In no other class of birds, swallows and ducks excepted, will we find so many representatives of European forms. This can be accounted for partly by the immense power of flight the hawk tribe are gifted with, and also by their peculiar habits of, wandering over a large extent of ground in search of their prey. The owls on the contrary are not able to continue for any great length of time on the wing. We find consequently that they are much more locally distributed than the hawks, and can scarcely be called migrating birds. There are only two of the European species of owl found in India:—the long eared owl, and the short eared owl, both of which have been killed in the British Isles.

The swallows, again, being of a highly developed migratory form, are well represented by all the English species, except one,* in this country. We may notice the common English swallow, the sand martin, the English house martin, the English swift. The Alpine swift, and another species, the crag martin, are also common to Europe. The swallows and swifts are better furnished with the organs of flight than perhaps any other bird, which will account for their wide distribution all over the world. Those mentioned appear in India in the cold weather only.

Waterton, speaking of the kestril or windhover hawk, 'is of

* The American purple martin, which however is any thing but common in England.

Digitized by Google

'opinion that a large proportion of those bred in England leave 'it in autumn to join the vast flights of hawks which are seen to 'pass periodically over the Mediterranean Sea on the way to 'Africa,' and some probably to us in India. 'The periodical dis- 'appearance of this bird from its breeding place,' he continues, 'might give rise to much ornithological enquiry, but it is pro- 'bable that when every circumstance shall have been duly weighed, 'we shall still be in the dark with regard to the true cause of its 'departure. The want of food cannot be supposed to force it away; 'for food the most congenial to its appetite is found in great 'abundance in England at the time it leaves that country. Neither 'can supposed inclemency of weather be alleged in support of 'its migration, since the temperature of England is remarkably 'mild long after the sun has descended into the southern hemis- 'phere.'

Jerdon says that the kestril is a cold weather visitant to India, and one of the earliest, and that it stays with us till April, as in England it is very abundant at all elevations in every part of the country. Blyth has noticed parties of twenty or thirty together, beating over the cultivated lands of Lower Bengal. Its chief food consists of lizards, rats, and mice, and insects, especially grasshoppers and locusts. In England of course it gets but few lizards, but preys upon beetles and mice. Now may not the cause of its migration to warmer climes be the want of its *insect* food? Most of the English insects we know disappear after summer, and it seems likely therefore that this bird does, after all, wend its way to foreign climes on account of the scarcity of its favourite food in England.

The common wryneck of England is also found in India. Jerdon says that it is perhaps only a cold weather visitant to the south, but it is said to remain all the year in the North-West Provinces and the Himalayas. Among thrushes we find our old winter friends the fieldfare, and the redwing from the north-west Himalayas, where they are both rare.

The wheatear has been seen in Central India and the North-West. Further research will probably discover its wider distribution.

Among the warblers we may mention the following which are common to both countries.

The redstart has been found, but rarely, in the North-West Provinces, and in Afghanistan. It is common in England in the summer.

The willow warbler has been found in Western India.

The lesser white throat is scattered over the greater part of India during the cold weather. Among pipils, the English tree

Digitized by Google

pipil has been killed in the North-West and Nepaul. It breeds in Europe, and is found also in Africa and Asia as far as Japan.

The large marsh pipil is rare in Britain, but common in India in the cold weather. Specimens of this bird have been procured in the neighbourhood of Calcutta.

Several of the English crows are found in India. The raven occurs in the Punjab and Upper Scinde during the cold weather only, migrating to Afghanistan and the neighbouring hills for the purpose of incubation. The common crow of Europe is stated by Dr. Adams to have been procured in Afghanistan by the late Dr. Griffith. We have found a bird very much like this on the Sikkim Himalaya, at ten thousand feet above the sea.

The English rook is found in the Punjab in the cold weather. The common jackdaw too is tolerably abundant in Cashmere and the Punjab, in the latter country in the cold weather only.

Among the starlings we notice our old familiar spotted stare. It is unfortunately not so common as the next species, which, though well known, is not so dear to us as this. The starling, Jerdon tells us, is found during the cold weather only in the North-West Provinces as low down as Monghyr, south of the Ganges, and perhaps still lower. It seems to be confined to the valley of the Ganges. The rose coloured starling is common near Calcutta in the cold weather, and may often be seen in flocks feeding greedily on the insects harboured by the large red flowers of the cotton tree, the *semul* of the Natives. In the Deccan and Carnatic, Jerdon tells us, they appear about November associating in vast flocks and inflicting great damage on the grain fields. They do not breed here, but quit the south of India in March, and proceed for the purpose of incubation northwards. In March last we saw vast flocks of these birds at Purulia in Maunbhoom: they appeared at sunset every evening flying to the trees on the island in the lake there, where they roost in company with common mynas, paddy birds, and cormorants. They were so numerous that, when startled by the sudden report of a gun, they appeared more like a vast moving cloud, as they circled round and round, with a rushing noise, in quick flight, and then suddenly dropped on the trees again. They may be easily distinguished from mynas on the wing by their swift arrowy flight. This bird may be easily recognised, its head being ornamented with a jet black crest glossed with purple. The neck, wings, and tail are of the same hue. The back, breast, and abdomen are of a beautiful rose pink, but this is the plumage of the adult bird, and is not acquired until the third year. Females and young birds are of a duller colour.

Digitized by Google

The mountain sparrow is a common bird in England during the autumn and winter months. In India it is found only in the Himalayas, and it is the common sparrow at Darjeeling. It differs chiefly from the ordinary sparrow by having its head and neck of a dark chestnut colour. In England it is often called the tree sparrow, because it breeds occasionally in trees.

The ortolan of Europe is sometimes found in England, though rarely, but it is common on the continent, where its advent is expected with great anxiety, and vast numbers are annually captured for the table by the means of clapnets and call-birds,—the method employed by the famous Whitechapel bird-catchers, and which is very successful with all of the finch tribe. This method does not seem to be known to the natives of this country, nor indeed is it generally known in England except to the fraternity. Jealousy appears to be the motive which brings the wild birds down. A pair of nets are placed on the ground with poles about six feet high, and a cord about thirty yards long is attached to them, and so arranged that when the bird-catcher pulls the cord, the two nets flap quickly over one another. Several tame birds of various species are placed at unequal distances, varying from five to thirty yards, outside these nets, whilst, between the nets, there are two or three 'brace' birds on sticks, and these the bird-catcher, by pulling a string, causes to flap their wings by elevating, and then suddenly letting go, the stick on which they sit. When a wild bird passes in flight anywhere near the spot, the call-birds in the cages immediately begin to call; the wild bird's flight is immediately arrested as if by magic, and it makes towards the spot. When the bird-catcher sees it, he pulls his small string; his brace bird flaps its wings; and the wild bird, darting at it, is quickly enveloped in the folds of the net, which is pulled over on him. Sometimes a whole flock of finches are caught in one haul by these means, often before they alight, for if they once come within the radius of six feet above the ground described by the poles of the nets, they are immediately enveloped. The curious part of the proceeding appears to be the utter indifference displayed by the wild birds to the presence of the bird-catcher, who quietly sits on a stool some thirty yards from the nets, without attempting to hide himself.

The English bullfinch is not found in India, but we have, instead, four distinct species from the Himalayas. The English goldfinch is represented in this country by a near ally, the Himalayan goldfinch, which, with another from Northern Asia, form the only three species known of this elegant and familiar cage bird. The short toed or social lark is better known to

Digitized by Google

sportsmen in India by the name of ortolan or boghary. It has been once killed in Britain. They appear in this country in the cold weather in large flocks. We do not get the English skylark in India, but we have its representative which is very much like it in plumage, though a good deal smaller,—the Indian skylark. It is common throughout the country, and rises into the air singing like the loverook of England, and, according to Jerdon, is particularly abundant in the Neilgherry Hills and near Calcutta.

The large order of pigeons is largely developed in India, but it contains few strictly European species, though there are several which may be considered as only local varieties. Among the game birds, our common peacock is well known as a domesticated bird in England, and in this country, as being commonly found wild in the heavy jungles which protect the tiger. These birds are often caught in snares by the natives, and brought for sale to towns. In a tame state they are very useful in destroying snakes and reptiles. None of the Indian pheasants are indigenous to England, though many have been introduced by the Zoological Society, and as they breed readily in confinement, they will probably at no distant date be acclimatized like the common pheasant,—which originally came from Western Asia,—and form a glorious addition to the English sportsman's game bag.

The black partridge has a very wide range through the greater portion of Northern India, extending as far as North Africa and the South of Europe. It is too well known to need description. Jerdon, in noticing its range in India, says, 'It occurs 'south of the Ganges, between that river and the Hooghly, and 'I have seen notices of the black partridge having been shot in 'Midnapore and Cuttack, but it is certainly rare south of the 'Ganges.' We have ourselves found it common in the Maunbhoom district,—a part of the Chota Nagpore division,—and would wish to draw attention to its further range to the south-west, to be satisfied as to whether it is really this bird which is found in the Saugor district, or the painted partridge,—as thought by Jerdon.

Our large grey quail is found throughout this country in considerable numbers during the cold weather, and is also abundant in Europe, and more sparingly so in England. Jerdon says that Sykes and others have expended much learning and paper in endeavouring to show, that this bird was the species which supplied food to the starving Israelites, but that it is more probable that the large pintail sand grouse, or rock pigeon, was the bird referred to by the sacred Historian, as it swarms in

Digitized by Google

such countless numbers in Palestine, that at times it literally darkens the air with its numbers.

The plovers have several species common to both countries.—The Kentish ring plover is found near the Sea Coast and the mouths of large rivers. The English peewitt or lapwing is found in India, only in the Punjaub. The stone plover occurs in most parts of India down to the extreme South, frequenting bushy, wild, low, stony, and jungly hills, and other retired and secluded spots. It is excellent eating, being highly flavoured, and is perhaps better known by the name of the bastard florican.

The turnstone is included in our English birds. It is however not common in India. The oyster-catcher too is found in the British Isles. In India it is most abundant on the rocky western coast, and only as a winter visitant. The common crane we find mentioned in Yarrell, though it must be very rarely found now in England. It visits us in the cold weather in numerous flocks, and feeds on grain, committing great havoc in the wheat and rice fields.

The common woodcock is nearly as well known, though not so plentiful, as the snipe, to which bird it bears a considerable resemblance in form and plumage. It seems to arrive in this country much about the same time,—October,—as it does at home, and leaves in February or March. It is only found in the hills, except by chance, and affords good sport in the Neilgherries, but in the Himalaya the extent of jungle and nature of the ground preserve it from the sportsman. They are said to breed in considerable numbers near the snows.

The English snipe and the jack snipe are so common in India in the cold weather, from September to March, in all likely situations, that it is almost needless to mention them. Very good sport may be had in the jheels near Calcutta, or by going a few miles up the Eastern Bengal Railway at the beginning of the season. The number of sportsmen however, who prey upon the snipe in that neighbourhood, soon make them so wild, that, after the beginning of the season, little can be done within a radius of a few miles.

Several of the sand pipes, or snippets, as they are usually called, are identical with English species, but space forbids their separate mention. The common English water hen is however so well known as not to deserve notice. It is common in all our jheels.

The English heron is often met with throughout India, frequenting rivers and the larger tanks, and breeds in company on high trees, but apparently not in such numerous societies as it does in Europe, where thirty or forty nests, and sometimes more, are frequently to be seen together.

Digitized by Google

The common coot, or bald coot, is a familiar British water bird, being seen chiefly in lakes, large ponds, and the quiet banks of wide rivers. It is common in most parts of India, and prefers weedy tanks where it is found in considerable flocks, and is often seen in the middle of the day resting on the water in the middle of a jheel away from any weeds or cover.

The little bittern is an English bird, and is said to have been procured in Nepaul, but there seems a doubt as to whether it was not mistaken for another species. The bittern, however, is more common, and is found throughout Bengal, and in Central and Northern India. It is but seldom seen in England, partly because it is a rare bird, and partly because its habits are nocturnal, and it sits all day in the thickest reeds or in other aquatic vegetation. It utters a peculiar loud, booming cry.

The common night heron has several times been found in England, though its usual residence is on the continent of Europe, Asia, Africa, and America. In India, it is found throughout the country, and is very common in many parts. Numbers of them may often be seen on a large tamarind tree near a village, where they roost during the day time, the species being, as its name implies, nocturnal in its habits. It is a very handsome bird, and may be seen to great advantage in the Barrackpore Menagerie, where there are several of them. It is of a white and grey colour, with a black beak and head, from which a crest of long white feathers droops backwards.

The white spoonbill and the glossy ibis have both been killed in England. The common grey leg goose of England is a common winter visitant to the north of India, and extends its migration to Central India, but is seldom seen further south. The white fronted or laughing goose has only been observed hitherto on the lakes and rivers of the Punjaub. The Brahminy duck or pruddy sheldrake is well known to all who have been any distance up any of our large rivers. It is found over the greater part of Central Europe, and has occasionally been killed in Britain. These birds are almost always seen in pairs. The sheldrake is not common in India. It has been procured by Mr. Blyth in the Calcutta bazar. In England it is frequently seen on pieces of ornamental water in a semi-tame state. It has a wide range throughout Europe, the greater part of Asia and North Africa, and breeds in deserted rabbit holes.

A very large proportion of the ducks of India are identical with those which annually visit England in the winter months, and, as has been mentioned before, the majority retire into the inaccessible wilds of Thibet for the purpose of incubation, when they leave us about March. They begin to be plentiful again

Digitized by Google

in the plains in October. A few only breed in this country. It seems a curious instinct which impels these birds to go into perhaps the most bleak and inhospitable Arctic climates they can find for the purpose of breeding. In Thibet the lakes and river are said to swarm with them between April and September, and they are exceedingly plentiful here on almost every pool of water during the cold weather.

The large cormorant of Britain is found in many parts of India. It is rare towards the south, but in the north of India it appears more common especially in the well watered province of Bengal, where it chiefly frequents rivers.

We now proceed to treat briefly of our commoner Indian birds.

By far the commonest of those about Calcutta are the kites, the crows, and the mynas. The Indian kite or cheel is very closely related to the English kite. Indeed they have been considered identical by some authorities. Jerdon says of this bird: —'It is one of the most abundant and common birds in India, 'especially near large towns, and its vast numbers and fearlessness 'are among the first objects that strike the stranger from Eng-'land, where birds of prey are so rare.' They leave Calcutta during the rains, but appear again in great numbers towards the end of the rains, or the beginning of the cold weather.

Next in point of rank, though first in familiarity, we may mention the crow. Like the sparrow in England, it is every where,—on the house top, in the verandah, and often venturing to take a snatch at the eatables on the breakfast table, yet, keenly alive to danger, it is off at a moment's warning, and gets uncommonly suspicious if it imagines it is watched. We must however refer the reader to Jerdon's work for a longer account of this most intelligent and amusing bird.

The two commonest mynas about Calcutta are the brown myna mentioned above, and the pied starling, as he calls it, but which we know better by the name of the black and white myna, the *ablak myna* of the Natives. Waterton mentions in his essay was on Natural History, that the common brown myna was brought from India to Bourbon in order to exterminate the grasshoppers. The colonists, seeing these birds busy in the new sown fields, fancied that they were searching for grain, and instantly gave the alarm. The poor mynas were proscribed by Government, and in two hours after the sentence was passed, not one of them remained in the Island. But the plague of grasshoppers became so terrible, that eight years later the mynas were again introduced, and laws were framed for their protection.

The eggs of the brown and red mynas are of a pale bluish

Digitized by Google

green colour, like those of the English starling. In fact, when seen side by side, it would be impossible to discriminate between them. As far as our observation goes, the brown myna invariably builds in holes, in walls, or under roofs, while the pied myna, on the other hand, constructs a large nest, generally in trees,—often indeed in the most conspicuous position.

The Indian sparrow is very much like the common sparrow of England,—in fact so much so, that it would be difficult to tell the difference between them if they should be placed side by side. It has however been made distinct by those closet naturalists, who seem to make a point of increasing the number of species unnecessarily. We must say we cannot see the use of making the study of birds harder than it already is, and in a case like this, where there is a distinction drawn between two birds so exactly similar in every way, we feel inclined to despair of ever making the subject popular.

The Brahminy kite is well known from its peculiar maroon colour, its white head and neck, and is commonly seen on the shipping on the Hooghly. It prefers the vicinity of water, and feeds, when found away from towns, on fish, frogs, and crabs, as well as occasionally pouncing on a wounded snipe.

The brown vulture of the Ganges is of course well known to Hindoo and European alike, but as we fancy none of our readers will care to make a nearer acquaintance with it, we leave it to perform unmolested its career of usefulness.

The black bulbull may often be seen in cages, and is moreover very common near Calcutta. It may easily be recognised by its dark colour, and by the bright scarlet patch under the tail. It is a pert and lively bird, and makes a very neat nest generally in a mangoe tree in which it lays three or four reddish eggs. A rarer kind in cages is the Madras bulbull.

The Indian magpie is often seen flying from tree to tree uttering its peculiar cry. It is a largish brown bird with a long tail, brown and white tipped with black. They breed in considerable numbers near Calcutta in June and July.

The large green barbet is another very common bird near Calcutta. It may be heard nearly all day uttering its call of turook, turook, turook. On approaching near enough, it may be seen sitting on a bough and turning its head from side to side at each note it utters. He is rather a handsome fellow, with his scarlet head and green plumage, but the large and powerful beak seems rather out of proportion to the size of its body. It feeds on fruit and young birds. There is another species of the same family, which has the same habits, but is only half the size of the first, and is not perhaps so common

Digitized by Google

in the neighbourhood of Calcutta, though in the Chota Nagpore district it is the only one seen, and is there very plentiful.

The koel is very common, but is more often heard than seen, as it seldom shows itself until dusk. The male is something like the English blackbird, but with a much longer tail, and the female is of quite a different colour, a spotted slaty grey. It belongs to the cuckoo family, and, like that family, is said to lay its eggs in the nest of another bird instead of making one for itself.

The mangoe bird, or black headed oriole, is well known by its bright yellow plumage, and penchant for mangoe trees, but whether it received the name of mangoe bird on account of its colour being somewhat like that of the ripe fruit, or from its often being seen in those trees, is unknown. It is however, one of our handsomest Indian birds, and especially so, when, flying in the sunshine from tree to tree, its bright plumage contrasts strongly against the dark green of the vegetation. Orioles are classed by Jerdon among the short legged thrushes; they feed chiefly on fruit, and the figs of the banian and peopul trees.

The common paddy bird is called by Jerdon the pond heron. He says of it:—'This is one of the best known and abundant 'of its tribe in India, seen at the side of every river, tank, 'ditch, or pool of water. It is so confiding and familiar as 'to have received the name of Blind Heron, in all parts of the 'country.' Its especial food is crabs, and for these it watches patiently either in the water or in the fields, and especially on the small raised bunds on divisions between rice fields. It will of course also eat fish, frogs, and various insects.

The adjutant is too familiar to need description. Most people are in the habit of supposing that it puts the food it swallows into the large red pouch which hangs from its neck, but our two best authorities on Indian birds, Blyth and Jerdon, tell us that the pouch has no connection with the gullet, but is probably connected with the respiratory system of the bird. These birds leave Calcutta in the cold weather, and do not return until the following rains. Some of them migrate to Burmah, and their nests have been found, by Captain Tickell and others, on the trees which grow near the summit of the rocky lime-stone cliffs near Moulmein.

More than a hundred pages of the Third Volume of the Birds of India are occupied by the order rasores, or game birds proper. As nearly every body in India is more or less interested in game, it will perhaps not be out of place to give a slight sketch of this well known divison among birds. The

Digitized by Google

order rasores includes only the gallinaceous birds, such as pheasants, partridges, jungle fowl, and quails. Bustards, snipe, and ducks, are also included under the head of 'Game,' but, as they belong to quite distinct orders, they are treated of elsewhere. The three divisions of gamebirds indigenous to India are, 1st: sand grouse, which are found chiefly in the sandy districts of Africa and Asia, but do not extend to the Malayan peninsula. 2nd: pheasants, whose head-quarters are Central and Southern Asia. 3rd: grouse and partridges, which are found all over the world, but are rare in Australia and South America.

The name *rasores* is given to this large and important order of birds from their habit of scraping up the ground in search of food, but they may perhaps with more propriety be called *gallinæ* or poultry.

In the first division—that of the sand grouse, or rock pigeons, as they are more commonly termed by sportsmen, we find four Indian species.

1. The large sand grouse of the North-Western Provinces and Sind extends as low down the country as Allahabad. It frequents open sandy plains, in large flocks, and, like the rest of its tribe, goes regularly to certain spots on the banks of rivers or tanks to drink. This it does twice a day: after drinking it feeds on grassy plains and in stubble fields. Its flight is very rapid. It is a cold weather visitant.

2. The painted sand grouse seems indigenous to India. It is found in the Carnatic, in the Deccan, and in Central India, and has been killed in the North-West in the low jungle at the base of the Sewalik range. It is found on bushy and rocky hills in tolerably thick cover, in pairs or small parties.

3. The large prietailed sand grouse, sometimes called the solitary rock pigeon, is a rare bird in India, but is well known in the south of Europe, and swarms in Palestine.

4. The common sand grouse is the most abundant species throughout that country, and is found everywhere except in wooded and jungly tracts like those in Lower Bengal, and in Central India. It frequents bare open plains, and sometimes can be approached near enough to be shot, but at other times it is very shy and wary. When seated on bare rocky or sandy ground, it is very difficult to discern it from the similarity of its colour with that of the ground. It is the rock pigeon of most sportsmen.

The second division, the pheasants, contains several species, most of them Himalayan. They may popularly be divided into peafowl, pheasants, jungle fowl, and spur fowl. The only

Digitized by Google

representative of the peafowl in India is the common peacock which has been mentioned before. Another, and the only other species known, is found in Assam and Burmah. Among the pheasants Jerdon includes the monal, the horned pheasant, the pucras, the snow pheasant, the blood pheasants, and the kallege pheasant, which last connects this group with the jungle fowl.

He begins with the monal or Impeyan pheasant, which, by the form of its crest, and rich metallic colours, approaches nearest to the peacocks. This is truly a most gorgeous bird, and its wings are commonly used in England to adorn ladies hats. It is found throughout the Himalayas from the hills bordering Afghanistan to Bhootan, from which latter country a specimen was lately sent by Mr. Ashley Eden. Jerdon gives a long account of its habits which was contributed to the *Bengal Sporting Review* some years since by Mr. Wilson, the well known hunter, under his *nom de plume* of 'Mountaineer.' The male only of the monal, as of most pheasants, is gifted with the brilliant plumage. The female is not unlike the English hen pheasant in colour. They have bred freely in England. The rich beauty of its plumage, its size, and the grotesqueness of its actions at particular periods, are equally remarkable, and when it is added that it seems to be extremely apt to endure the conditions of tame life in England, and is perfectly capable of bearing the severest rigour of its winter, it certainly appears that the introduction of this mountain bird into the forests of Scotland is not only desirable, but ought ere long to be accomplished.

The horned pheasants are birds of large size and of rather heavy form, with short tails, and are found only in the higher regions of the Himalayas and Central Asia. Some fine specimens of the Sikkim horned pheasant were on view at the last Calcutta Agricultural show, and were taken to England for the Zoological gardens. This bird is called the monal or scarlet Argus pheasant by the residents at Darjeeling, where it is often brought for sale, early in the spring, by the Lepchas, who catch numbers in nooses. Its range extends from Kumaon probably to Bhootan. The Simla horned pheasant is much like the Sikkim pheasant, differing only slightly in plumage. It is found to range from Simla to the extreme north-west Himalayas. It is called the Argus pheasant by people in the hills, the native name being Jewar or Jowar.

The green blood pheasant is a somewhat anomalous species, appearing to partake more of the character of the jungle fowl than the pheasant. It has hitherto only been discovered in Nepaul and Sikkim, and extends probably into Bhootan. It

Digitized by Google

frequents high elevations, varying from ten to fourteen thousand feet, and was found in great numbers at that height in Sikkim by the famous Himalayan botanist, Dr. Hooker.

The pucras, plass, or koklass pheasant is well known to sportsmen about Simla. It has only hitherto been found to range from the north-west of Nepaul to beyond Simla. The Nepaul bird is very like it, but is considered distinct. These birds very nearly approach the true pheasants, of which the English one is the type. This is represented in India by the cheer, another Simla bird not uncommon near that station. The pucras was introduced into England in 1857. Though far from being rare, fewer perhaps of this species are met with than of any other kind, unless it is particularly sought for. The reason of this may be, that the general character of the ground to which they resort is not so inviting to the sportsmen as other places, and besides, they are every where confined to particular localities, and are not, like the other kinds, scattered indiscriminately over almost every part of the regions they inhabit. It is also called by the Natives 'Bunchil' and 'Herril', and in Nepaul 'Kaher.'

The kalleges are birds about the size of a small fowl, and live at various elevations from three to seven thousand feet and upwards. They form the connecting link between jungle fowl and pheasants. Jerdon includes two species in his work, the Simla or white crested kallege, and the Darjeeling or black kallege. They are both alike in their habits, but whereas the first has a white crest and rump, with its black plumage, the Darjeeling bird is entirely black. Another species which has the crest black like the Darjeeling bird, and the rump white like the Simla bird is found in the Assam hills and goes by the name of Horsfield's kallege. These birds are the commonest pheasants in their respective districts. The silver pheasant is the typical bird of the kallege group. The three species of kallege named have all been introduced into England, and the Darjeeling bird has bred in the Zoological gardens.

The jungle fowls are well known birds, the red jungle fowl being the common species this side of India. It is well known that this bird is the founder of our domestic race of poultry, and is so much like a barn-door fowl, that a description would be useless. Its place is taken in the south by the grey jungle fowl, which on the Neilgherries affords very pretty shooting. The two races have intermingled in a wild state, and hybrids are found where they meet.

The spur fowls are a dwarf species of jungle fowl, and are called by some double-spurred partridges.

Digitized by Google

Jerdon mentions two species, the red spur fowl, which is found in the South and Central India up to the Rajmahal hills:—and the painted spur fowl, which extends over much the same districts. We have lately killed it in Maunbhoom, but the limits of the range do not appear to be accurately defined. These birds skulk and run so much in heavy cover that it is difficult to get a flying shot at them even when they are plentiful.

The family *tetromoidæ* are divided into grouse, partridges, and quails. There are no true grouse in India, but the nearest birds to them are the snow cocks, which are peculiar to the higher ranges of Central Asia, and appear to form the connecting link between the grouse and the partridge. The snow cocks are birds of large size, as large as a black cock, of a gray mottled colour, and are found close to the snow line. Only one species is included in the birds of India. The Himalayan snow cock is better known by the names of snow pheasant, jer monal, or snow chickoa: it is found on bare open ground close to the snows, moving periodically lower down as the limit of the snow varies according to the season. This magnificent bird ranges throughout the western Himalayas. They rise in coveys, but are difficult to shoot. Jerdon's account of them is well worth attentive perusal.

The game looking snow partridge combines the colour of a grouse with the unfeathered leg of a partridge. It is called 'Lerwa' by the Nepaulese, 'Quoir Moonal' and 'Jirteetur' by others, while at Simla it goes by the name of 'Bhyr,' or 'Bhair.' It appears to be peculiar to the upper Himalayan region near the snows, and is found along the whole extent of those mountains from the extreme north-west to Sikkim, and probably Bhootan. They live among the glaciers and rocky open ground at the foot of the snows. Its weight is eighteen ounces.

The true partridges form several distinct groups separated alike by habits, form, and colour. They may be divided, *First*, into francolins, whose English representative is the red leg. *Secondly*, the true partridge of which the English brown one is the type, and of which no species is found this side of the Himalaya. *Thirdly*, the grey or spurred partridges peculiar to the continent of India. *Fourthly*, the wood partridges of the Himalayas, and *Fifthly*, the bush quails which are peculiar to India.

The black partridge 'Kala teetur' is the commonest Indian francolin, and its range is very extensive from the north-west Himalaya between the whole length of that chain, from west to east, and the Ganges, as far as Assam. It is tolerably com-

Digitized by Google

mon in the Maunbhoom district, a fact which Jerdon does not seem aware of. The call of this bird to us seems at a distance not unlike that of a large grasshopper lark. A fine specimen of the male is at present alive in the Barrackpore Park. The black partridge, as is well known, affords first rate sport where plentiful.

The painted partridge is often mistaken for the black, and takes its place in Southern India extending north until it meets the black partridge.

The chickoa is much like the red leg of England, and belongs to the same group. It frequents bare and rocky hills with low scrub jungle near cultivation, and extends across the Himalayas into Thibet. It is common in the north-west Himalaya, but is not found in the plains.

The sand partridges of which the seesee is our Indian example, are simply dwarf chickoas. The seesee is only found in the Punjab, Affghanistan, and Persia.

The grey partridge, or 'gora teetur,' is very well known; it is somewhat similar in colour to the English bird, but differs in being strongly spurred, and seems peculiar to India. It is generally found in bush jungle, on stony dry ground, at some distance from water. There are plenty of them in the Rajmahal hills, and the species is generally distributed throughout the plains.

The kyah partridge, or Bengal chickoa, is one of our finest Indian partridges, weighing from seventeen ounces to one pound six ounces, and combines the advantages of affording very fair sport, and of being an uncommonly good bird for the spit. It is found in most of the overgrown jungly churs, in the large rivers of Lower Bengal. We have had very good sport with this bird near Caragola Ghaut on the Ganges, where it is plentiful, but not easy to get at, unless one is acquainted with its peculiar habits. In the day time it frequents the thickest reed and dog-rose covers, but it ventures out into thinner jungle to feed, morning and evening, and may at those times be easily intercepted, when a good bag can be made. 'Kyah' is the native name of the bird about Caragola.

The hill, or green partridges, as they are sometimes called, occur throughout the Himalayas. They are of rather small size and plump form, and are found in coveys, among the dense forests, in mountainous districts. Though sometimes called tree partridges, we have never yet seen them except on the ground, but it has been stated on good authority that they are sometimes seen in trees. This fact however requires authentication.

Digitized by Google

The black throated hill partridge is found throughout the hills at an elevation of from six to nine thousand feet, extending from Simla to Darjeeling, though it is not common in the immediate vicinity of the latter place.

The rufous throated hill partridge is much more abundant near Darjeeling than the bird last mentioned. But it does not appear to extend further west than Sikkim, though, to the east, it will probably be found throughout Bhootan.

The bush quails form the last division of the partridges. They are so called by sportsmen from being found either in bushy ground or in thin forest jungle. The jungle bush quail is extensively distributed throughout the country, and is found at all elevations up to five thousand feet. It does not occur in Lower Bengal, but seems most abundant in Central India and the North-West Provinces. It is called 'Geerza' by the natives, who keep it for fighting purposes. The rock bush quail, 'Lona' in Hindoostanee seems to be found only in the south of India and the Bombay Deccan. The painted bush quail has only been found hitherto on the higher lands of South India, from the Wynaad to near Poonah. It is abundant on the Neilgherries, frequenting bushy ground, and patches of fern on the hill sides. The large grey quail has been mentioned before.

The black breasted quail, or 'Buttair,' is almost exactly like the grey quail in colour, but is much smaller. It is better known by the appellation of rain quail, and is found throughout the whole of India. In many parts of the country where the grass is short and much dried up in the hot weather, this bird is rare until the rains cause the young grass to spring up, when numbers appear all over the country, thus giving rise to its popular name. It does not appear to be common in parts of Lower Bengal. The blue breasted or painted quail is also called the rain quail in Bengal. It is a very handsome bird, and appears to be very local in its distribution. The bustard quails are a small kind common in India. They may be distinguished, as a rule, from common quail, from having only three toes instead of four.

The black breasted bustard quail is found all over continental India, as well as in Ceylon. It is met with in the low bushy jungle, or fields of chilli, dhall, and other dense crops, especially if near patches of jungle. They are generally in two or three together. The females are very pugnacious, and are kept for fighting by the natives, and, curious to say, are larger than the males. Their native name is 'Gulu', or 'Salur Gundru.'

The hill bustard quail is much like the last, but is only found in the Himalayas in cleared spots, or in low jungle near cultivation.

Digitized by Google

The large button quail is found in open grassy glades in forests, sometimes in the plains, but more especially in hilly countries. It occurs throughout India in suitable localities, and is not uncommon in Lower Bengal. It is always seen singly in patches of long grass or thick cultivation, flying but a short distance, and is very difficult to flush a second time. The button quails differ from the bustard quails in having more slender bills, and the plumage, instead of being black barred, is more or less rufous with a few spots.

The last species is the ordinary button quail, which is the most diminutive game bird in India. It occurs throughout the country in grass and grain fields, and wherever there is thick herbage. It is flushed with great difficulty, generally allowing itself to be nearly trodden upon. After flying a few yards it alights again, and it is very difficult to get it up the second time. The native name is 'Dabki,' signifying Squatter,—given from this habit.

In conclusion we would mention that the identification of our Indian birds is a point to which we wish to draw special attention, as it is one with which we have the least acquaintance.

Tickell justly observes that the study of the eggs of birds is a part of Ornithology which has either engaged very little attention in India, or has been passed over unattempted from the difficulties attending the collection of eggs and nests. These difficulties arise in a measure from the season of the year in which the eggs are chiefly procurable, but principally because very few birds build and breed in this country except in the remotest parts of the jungles, and these are, during the rainy season, almost inaccessible from the density of the vegetation. His opinion is confirmed by Mr. Theobald who says:—'It is not 'easy to explain why Oology has not found more favour with 'those whose taste or opportunities incline them to cultivate 'some of the minor branches of natural science, for without any 'undue bias, it may at least be reckoned as entertaining and in-'structive as many of those 'ologies' which are usually consider-'ed pleasing, and withal not unfashionable. Many however who 'are ready enough conventionally to tolerate other similar pur-'suits, can, without being able to assign any particular reasons see, 'in Oology, little else than trifling and loss of time,but it requires 'very little examination to upset such an estimate, for there are 'few similar studies, if any, that surpass it in interest, few more 'varied, and none offering a less worked field of enquiry and 'speculation.'

We quite agree in this, and can well believe that the enthusiast devoted to the practical study of Natural History finds

Digitized by Google

in it the most delightful occupation, more especially in this country. Here, at all events, it gives a deeply interesting employment of those long and weary hours which might otherwise try the patience, and wear out the body with the weight of their *ennui*. There are few occupations, indeed, which tend so much to pleasure and profit, as that to which we have endeavoured to draw attention in this article.

Digitized by Google

ART. II.—1. *Papers relating to the Reform of the Police in India. Calcutta,* 1861.

2. *Report on the Police Establishments of the Division of Chota Nagpore.*

3. *Final Report on the Police Establishments of the Lower Provinces of Bengal.*

4. *Report on the Police of the City of Calcutta.*

5. *Second Annual Report of the Working of the Civil Constabulary, Lower Provinces, Bengal.*

OUR attempts at Police Reform in India, and the results we have already been able to achieve, may be regarded with little appreciation by those who are conversant with the skill of the London Detective or the shrewdness of the Irish Constabulary. It was but the other day that the former gave a fresh proof of his efficiency by the capture of Müller, and it is still in the minds of all, with what consummate skill every circumstance of this case was investigated, and every discoverable particle of proof was elicited, and forged into that damning chain of evidence, which brought his guilt home to the murderer. We ourselves have often seen the measure of the breadth of the burglar's tool, or some slight flaw on its edge, which left a corresponding mark on a broken door or chest, sufficient to furnish a clue to the perpetration of a robbery. A murder has been traced, and the guilty brought to punishment, without other means of detection to start from, than the number of nails in the heel of the boot, which left its impress on the soft ground where the murdered man had met his doom; and again, the piece of half burned paper with which the murderous charge was rammed down, picked up near the scene of some agrarian outrage, and corresponding with the remnant found in the prisoner's pocket, has pointed to the roadside assassin of an Irish landlord. No circumstance is too trivial or unimportant to escape notice, and where an unpractised eye sees nothing unusual, the keen scent of the detective will perceive the end of the fine clue which will unravel the mystery. Yet, even with all this skill and experience, failures sometimes occur, and the 'Road Murder,' still undetected, is one of those failures. But this only shows that entire perfection is as unattainable in

Digitized by Google

this as in other matters. On the Continent from time to time systems of Police have existed, which were certainly competent to deal with matters of ordinary mystery, but from whose odious scrutiny no domestic *penetralia* were free. Spies rather than policemen, they became what they were intended to be, political tools, rather than conservators of the person and property of the citizen. Such a system as this would not be tolerated in free England, where the Police, as they are at present constituted, are suited to the habits of the people and the atmosphere of freedom. The orderly, well-behaved citizen, whose house is his castle, cares nothing for the policeman who walks past his door with measured tread. Without his desire or permission, that official dare not cross his threshold. But he who, not content with enjoying his own liberty, should infringe the liberty of others and break the law, will find, in the same official, a stern emissary of justice to bring him to account before those charged with the custody of that liberty which he has dared to invade. The Police in Great Britain are eminently what a good police ought to be, the guardians of the person and property of the subject, the suppressors of crime, the detectors of guilt. When the Reformers of Police in India were looking for a model after which to organise a new system, they would have erred greatly, had they chosen any other model than that which they found at home. How far that model has been well followed or wisely departed from, or should be more closely adhered to; how far the failure of expected results has been the consequence of such departure or adherence:—and how those results must be materially affected by the moral state of Indian society differing from Society at home;—are points which we purpose to touch upon in this article. It has often been mentioned, and can scarcely be repeated too often, that when a great crime is committed in England, every man, except the criminal himself and one or two associates, becomes a policeman to trace the guilty party, and every scrap of evidence that any one can give is freely given: but in India, in too many cases, the Police have to do their work alone and without assistance from the people, too often indeed in the face of wily opposition or stolid indifference. Where information is volunteered, it too often turns out to be untrue. Sometimes the volunteer wishes to pay off an old score of enmity with a charge of a crime never committed, or he desires perhaps to turn suspicion in a true case upon an innocent party. Then again, the small regard for an oath or rather for the form of affirmation administered in our courts, the ties of caste and brotherhood, the morality that teaches it to be laudable to tell a falsehood in order to

Digitized by Google

screen a Brahmin, the influence of the landholders over their dependants, are disturbing causes, which can scarcely be overestimated in judging of results by a calculation of the percentage which acquittals bear to convictions. In England perjury is a crime of very unfrequent occurrence; few men will tell a lie on oath to save their father, son, or brother; no teaching deals lightly with the sin of falsehood; and no man can trust to those about him to close their eyes to his acts, and to profess utter ignorance as to what their own eyes have seen. Then again, the simplicity of life and manners of the people, while it greatly facilitates the work of the Police when there is no desire for concealment, is just as much against them, when such a desire exists. There are a thousand ways and means of detection at home depending on the peculiar social organization of the country, which do not exist in India, and which are so many chances in his favour taken from the Indian detective in finding out the clue to any particular crime. There is no doubt whatever that the system of Police now established in Bengal tends to bring to light the commission of numerous offences, which would never have been reported under the old system; and this should be carefully borne in mind, when instituting any comparison between the two systems founded on returns showing successful action in a certain proportion of cases, as against unsuccessful action in others.

Before going further into the special subject which we have chosen, it may be well to sketch the rise and progress of that reform, which has for one of its results the present Bengal Police. The revelations of the Madras Torture Commission in 1855, first impressed upon the Government of India the necessity of sweeping measures of Police Reform. The character of the then existing police is thus given by the Commissioners:—
'We may add that the whole police is underpaid, notoriously 'corrupt, and without any of the moral restraint and self-respect, 'which education ordinarily engenders; and that the character 'of the native when in power, displays itself in the form of rapa-'city, cruelty, and tyranny, at least as much as its main fea-'tures are subservient,—timidity and trickery, when the Hindoo 'is a mere private individual; so much so that one Judge declares, 'the whole people are to be divided into the governing and the 'governed, the oppressor and the oppressed.' Before the Torture Commission sat, many isolated attempts had been made in different portions of our Indian empire to improve the old police; but it was, as we have already stated, the report of this Commission, that made necessity of a general reform to be felt by our Indian Administrators. And lest it should be said, that

Digitized by Google

Government was very tardy in doing what should have been done years before, let us remind our readers of the short period we have been in occupation of India; of how much of that period has been taken up with wars and the dispersing of banditti; measures which necessitated the keeping up, not of Civil Police, but of irregular corps trained with military discipline. Though here and there something might have been done, yet it needed the establishment of law and order over the entire country to pave the way for the introduction of a Civil Constabulary, whose sole duty it should be to apprehend the guilty and suppress crime in time of peace. Let our readers also be reminded that it has been only during the present century that Police Reform was undertaken and carried out at home. The race of the sapient constable who would have himself written down an ass flourished for the first quarter of the nineteenth century. The Dublin 'Charlies,' with their cloaks and lanterns, either fled, or else assisted in their midnight pranks the students of the 'Silent Sister,' whose mad revels must have long since changed so unsuitable a name for their *Alma Mater*, had not their soberer brethren already given ample proof how, "those.....

"That therefore only are reputed wise
"For saying nothing"

are often not reputed so in vain. It was only in 1829 that the late Sir Robert Peel organized, in the face of considerable opposition, the first body of police, who were nicknamed 'Peelers' and 'Bobbies,' in ironical compliment to the Sirname and Christian-name of their founder. The Acts which regulate the present London Metropolitan Police (a body of nearly seven thousand men maintained at an average annual expense of £530,000) were passed as recently as 1839 and 1856. The County District Police are regulated by the Acts passed in 1839 and 1856, by the latter of which (the 19 and 20 Vict. cap. 69) the establishment of a sufficient police force was made compulsory all over England. The same statute provides for the consolidation of the police of boroughs with that of counties, gives the officers of each co-extensive powers, and subjects the whole force to the control of one of the Secretaries of State. Till this law was passed, the appointment of a constabulary was discretionary. In many places the discretion was not exercised, and it was only when this law was passed in 1856, that the present Police system at home can be said to have been completed: and it was not till 1859, that Javelin men were abolished, and police-constables employed in their place to keep order in, and within the precincts of, the Courts of Assize. The Metropolitan Police first gave an earnest of their

Digitized by Google

future efficiency when called out in October 1831 to suppress the riots consequent on the rejection, by the House of Lords, of the Bill for Parliamentary Reform, and, since that time, this excellent body has been so managed and improved as to gain over its most vigorous opponents to something more than a mere acquiescence in the measure they at first withstood. The success of the Irish Constabulary, under circumstances peculiarly trying to a body of police raised from the very classes to be controlled, has been complete; and the compulsory extension of the system through England has been productive of nought but admitted good.

The question of Police Reform in India, being once raised in 1855, was not allowed to drop. In Bengal indeed the occurrence of the Mutiny delayed the measures which have since been adopted. But in Madras more speedy action was taken. On the 22nd December 1857 the Governor-General sanctioned a monthly expenditure of Rupees 23,500 for a Chief Commissioner and his establishment, twenty Superintendents at Rs. 700 per mensem, and twenty Assistants at Rs. 300 per mensem. Mr. W. Robinson was appointed Chief Commissioner, and his subsequent services in the matter of Police reform have proved the choice a good one. On the 3rd December 1858, this gentleman forwarded to the Madras Government his views as to the reorganization of the Police system of that Presidency, and on the 6th September 1859, the Act framed by Mr. Robinson was passed by the Legislative Council. Its working was so satisfactory, that Sir Bartle Frere, when moving the first reading of the present Police Act, on the 29th September 1860, mentioned the fact in his speech as an omen of good success. On the 17th of August 1860, a Police Commission was appointed, consisting of Mr. Court for the North-Western Provinces; Colonel Phayre for Pegu; Mr. Wauchope for Bengal; Mr. Robinson for Madras; Mr. Temple for the Punjaub; and Colonel Bruce for Oude. Before we speak of this Commission and its doings, we shall endeavour to set before our readers the actual state of the Police, and what had from time to time been done in different parts of India in the way of organization or reform.

The system we found existing in almost every part of India was that of holding communities responsible for crimes committed within them, and which they might have prevented. The Hon'ble Sir George Clerk, in his Minute dated 28th April 1848, expressed an opinion that we did wrong in abrogating that custom. Its existence might certainly have been well permitted, at least until we should be in a position to establish a better system in its place. The student of English History will not fail to be remind-

Digitized by Google

ed of the similar institutions among our Saxon forefathers, whereby the *devil's gilds*, as they were at first called, when subsequently converted into Christian institutions, took upon themselves the preservation of the peace: and, in case of homicide by one of their members, the corporation paid part of the *wèrgild* or man-money. He may recollect too the system of frank pledge, friborg, frith-borhs, or securities for the peace, among the Saxon tythings or wards, whereby every man, whose rank and property did not afford an ostensible guarantee for his good conduct, was compelled to find a surety (borh). This surety was afforded by the tythings, the members of which formed a sort of perpetual bail for one another's appearance in cases of crime. The escape of a criminal was thus almost impossible. He was well known to the members of his own tything, and as the entrance of a stranger into any other tything could not have been effected without attracting notice, to abscond would have been to take to the woods, and to run the risk of death by starvation.

In Bombay as well as in the other Presidencies, the first arrangement made for the supervision of the Police was to put it under the Judicial Department. In 1828, Assistant Criminal Judges were invested with Police powers. In 1830, these powers were transferred from Criminal Judges to the Magistrates. In 1833, Joint Police Officers were appointed for certain large towns. Up to 1849, the Police administration was conducted under the superintendence of the Foujdaree Adálut. In this year the Magistrates were directed to correspond direct with the Government on questions of Police. This was the first step towards making the Police a separate department, and it was found most successful in increasing the efficiency of that body. The measure was however found to add so much to the business in the Judicial Department, that the Government was prepared to give the Judicial Secretary the aid of a special Deputy Secretary, who should be acquainted with the system of Police, and who might move about as his presence would be required. A Deputy Secretary was appointed, but in consequence of orders from the Court of Directors, the offices of Inspector of Prisons and Commissioner of Police were, in 1855, united. At the same time the appointment of Joint Police Officers was extended to any District in which the Governor in Council might think fit to appoint them. These Joint Police Officers, or Superintendents as they were called subsequently, were appointed in nearly all the Districts. The relative position of the Magistrate of the District, and his authority over them, became at once a bone of contention. The Commissioner of Police was for limiting the interference of the Magistrates with the Executive

Digitized by Google

duty of the Superintendents. His opinion is as follows:— 'I am 'inclined to think that the Magistrate's position being clearly es- 'tablished as a subordinate to the Police Commissioner, as the Col- 'lector to the Revenue Commissioner, and restricted as he is, and 'must be still more, from all interference with the discipline and ma- 'nagement of the Police force, he should still continue the head 'of the Police in his own district, and afford the benefit of his co-op- 'ation, local knowledge, and experience in the general arrange- 'ments; and that the Superintendent should be still recognized as his 'subordinate, and obey every requisition, subject to the general in- 'structions and orders of the Commissioner of Police. I think it 'desirable to maintain the authority of the Magistrate.' While the matter was being discussed, the Despatch of the Court of Directors of the 24th September 1856 arrived. By this it was directed, that 'the Superintendents of Police should no longer be in any respect 'subordinate to the Magistrates, and the Magistrates should no 'longer have any concern with the Police; that the Superintendents 'should have the entire management of the Police, and be res- 'ponsible only to the Commissioner of Police, and the Magistrates 'should become Criminal Judges in subordination to the Judges 'of Sessions.' The Foujdaree Adálut having been divested of all Police supervision since 1852, this despatch completed the separation of Judicial and Executive functions. The system was found to work satisfactorily in Bombay, as compared with the system previously in force, but whether this success was due to the non-union of judicial and executive functions in the same individual, or to the erection of the Police into a separate department, the experiment was not tried sufficiently long to enable a trustworthy opinion to be formed.

In Madras, the management of the Police was, in 1816, vested in the Magistrates and their Assistants, who were made responsible for the preservation of the peace in their respective Districts. Up to 1843, the Courts of Circuit exercised a supervision over the management of the Police. On the abolition of these Courts in that year, this supervision was transferred to the Sessions Judges. In their letter dated 22nd November 1854, the Sudder Foujdaree Adálut, under which the Judges exercised this supervision, expressed the opinion that the Judge and the Magistrate were too nearly on a par with respect to standing, position, and emoluments, to render the superintendence of the former effective. They also recommended the separation of the judicial duties of the Magistrate from those which relate to the prevention and detection of crime; and, if this suggestion should be approved, they were of opinion that the system already tried in Bombay, of placing the Police of

Digitized by Google

each District under the immediate direction and control of a Superintendent, might be advantageously adopted in Madras. It was admitted that the Magistrates in Madras as well as in Bombay were too much taken up with Revenue duties to admit of their exercising any effective supervision over the Police; and when (as Mr. Le Geyt had pointed out in 1848 in Bombay), to this is added the fact, that from the Covenanted Collector downwards to the lowest subordinate, the path of promotion lies, not in the police, but in the revenue department, it is not surprising that little pains or ability had, up to that time, been expended on the management or reform of the Police. 'A 'Collector,' says Mr. LeGeyt, 'who devotes the principal part 'of his attention and time to the Police of his district, would in all 'probability be found deficient as a Revenue officer, perhaps only 'from want of time to attend properly to both. His conduct as a Re-'venue Officer comes immediately before Government. His ability 'as a Policeman is scarcely known; and, in the case supposed, 'would be lost sight of in the obloquy cast upon him as a bad Collector.' It is not surprising, therefore, that Collector-Magistrates should have attended to their own interests, and that, in so doing, they should have neglected the Police Administration of the country. The consequences of this neglect in Madras were worse than elsewhere. That it was so, arose no doubt from the peculiar nature of the Revenue Settlement, which engrosses the entire time and attention of the Revenue Authorities. In 1854, there were no less than seventeen hundred gang-robberies in that Presidency. At length, in 1857, the Court of Directors sanctioned the re-organization of the Madras Police, and the Governor-General, as already pointed out, having approved the disbursement of Rs. 23,500 per mensem, Mr. Robinson was appointed Chief Commissioner of Police in May 1858. He immediately proceeded to make the tour of all the Districts, and, in communication with the local officers, collected the materials for an able Report on the entire subject. The Draft Bill of Act XXIV. of 1859 was drawn up, and this Bill became Law in September 1859. Before the end of the official year its operation was extended to nine Districts of the Madras Presidency, and, by September of the following year, in fifteen out of the twenty districts, the new Constabulary was in working order. While this Bill was before the Legislative Council, Mr. Forbes, the Member for Madras, was instructed, that it was the distinct and unanimous intention of the Madras Government that the local Superintendents of Police are to be entirely under the orders of the local Magistrates. At the same time while it was proposed to vest in the local Magistrates the most ample powers of control

Digitized by Google

(ere in matters of drill, discipline, &c.) over the District Superintendents and their Establishments, it was yet meant that such supervision should be of a general character; that the Superintendents should as far as possible be left to provide for the prevention and detection of crime in their Districts by means of the Police force under their orders; the Magistrate exercising a general control, and interfering more immediately, only on occasions when he might deem his intervention really necessary. The functions of the Commissioner or Inspector-General were to be confined to the organization of the establishment, and to maintaining it in a state of efficiency by a proper attention to promotion, discipline, and other details of management. The primary object of the plan was to be regarded as the placing of an improved instrument for the prevention and detection of crime at the disposal of the Magistrate. These, it will readily be perceived, are the ideas embodied in the present system adopted in Bengal.

In Scinde, Sir Charles Napier, who without doubt was the first to apply sound principles of Police reform in India, had established a Police of 2,400 men, well armed (as he describes them himself in a letter to the President of the Board of Control in 1846), drilled, and divided into three classes, one for the towns, two for the country: —the first all Infantry,— the two last Infantry and Cavalry, and called the Rural Police. They were to assist the Collectors, but they formed a distinct body under their own officers. Mr. Ricketts, in his Report on civil salaries, speaks of the success of the measure in Scinde as perfect. We quote his remarks:—

'The Honorable Court in their Despatch to the Government of 'India of the 24th September 1856, broadly rule, that in all the 'old provinces of British India, the management of the Police of 'each District should be taken out of the hands of the Magistrate, 'and be committed to an European Officer with no other duties, 'and responsible to a general Superintendent of Police for the 'whole Presidency. But in the Despatch to the Government of 'Madras (9th June 1857), which I have quoted, the Court 'seems to draw back from the general introduction of the separate 'system, and to desire that the system of Magistracy and Police 'united, and the system of Magistracy and Police dissevered, 'should be each further tried under the supervision of those who 'respectively favour them. The success in Scinde has been perfect. 'The success in Bombay has been considerable, though there 'the separation is still incomplete. All confidently anticipate 'great improvement from the change at Madras. The other 'system has been successful in the Punjaub, and till lately was 'considered successful in the North-Western Provinces. The 'system peculiar to Bengal has been unsuccessful, but the remedy

Digitized by Google

'proposed is a further sub-division of districts, not the separation 'of the Police from the Magistracy.' The characteristics of the Scinde Police, as stated by Sir Bartle Frere in his speech in the Legislative Council on moving the first reading of Act V. of 1861, were,—separate organization, complete severance of Police and judicial functions, complete subordination to the general Government, and, lastly, discipline, not in the nature of parade, but as far as was necessary to effective organization. The plan was drawn up on the model of the Irish Constabulary, and was at first received with great distrust by the Civil officers, but its results were such as to convert the most sceptical among them. Sir George Clerk, when Governor of Bombay, visited Scinde in 1847, and, from what he saw there, commenced similar reforms in Bombay. His minute, dated 28th April 1848, contains a valuable collection of information and opinions on many points of Police reform. The Scinde system was extended to the North-West Provinces by order of Lord Ellenborough, but here its working has not proved satisfactory, and this fact will show that the same system may succeed in one part of India, and may fail in another part.

In the Punjaub, Sir Henry Lawrence followed a plan similar to that adopted in Scinde, but, as Sir Bartle Frere says in the same speech, the original was unfortunately departed from in many particulars, and a double system of Police created. Thus, *first*, the employment of an unorganized body of burkandazes under the Deputy Commissioners as Magistrates was authorised; and, *secondly*, the formation of Police corps under the control of the Chief Commissioner, doing no real Police work, but exclusively employed as Jail and Treasure guards, and on other duties which had previously devolved on the regular army.

In Oude, Colonel Bruce, under instructions from the Governor-General, through Sir James Outram, submitted, on the 23rd March 1853, a scheme on the Scinde model for the organization of the Police. After the mutiny, Colonel Abbott organized a Constabulary for Lucknow on the model of the London Police, which succeeded completely, and caused a reduction in Police expenditure.

Turning now to Bengal, the Police of this Presidency remained, till the introduction of Act V. of 1861, nearly in the same state as when first established by Lord Cornwallis, *i. e.* in direct subordination to the Magistrates. The Tehsildari system, introduced in Benares in 1795, in the Ceded Provinces in 1803, and in the Conquered Provinces in 1804, by which the Police were placed under the Tehsildars, was abrogated in these territories in 1807. In 1808, a covenanted officer was appointed Superin-

Digitized by Google

tendent of Police for the provinces of Bengal and Orissa, but more especially for the cities of Calcutta, Dacca, and Moorshedabad; he possessed a concurrent jurisdiction with the Zillah and City Magistrates, and was under the authority of the Nizamut Adálut, which was charged with the supervision of the entire Police. In 1810, a second Superintendent was appointed for Benares and Bareilly, and the jurisdiction of the first Superintendent was extended to Patna. In 1816 the duties of these officers were regulated and defined by Regulation XVII. of 1816, and they were directed to submit to Government annual reports of all Police occurrences, and returns of the Police establishments. In the following year was passed Regulation XX. of 1817, which Mr. Harington calls 'The Police Officers' 'Manual,—in the Provinces subject to the Presidency of Fort 'William,'—and which laid down detailed rules of Police Procedure. There were three Officers at each Thannah:—the Darogah, Mohurrir or Naib Darogah, and the Jemadar, who were each authorised to exercise the powers of head of the Police station in the absence of the next superior officer. In 1829,—on what grounds is not very clear,—the Superintendents of Police were abolished, and their duties made over to the Commissioners of Circuit, from which time dates the connection of these officers with police matters. The abolition of the office of Superintendent, and thus of a separate department for Police, appears to have been felt to be a mistake, for, in 1857, the Governor of Bengal was empowered (Act XXIV. of 1837) to appoint Superintendents of Police, who were to be guided by the rules contained in Regulation X. of 1808, and were to exercise all the powers vested in Commissioners of Circuit, who were to be divested of Police functions in the districts, where Superintendents were appointed. In 1830-31, the offices of Collector and Magistrate were united, and this was held to have had an injurious effect on the Police system. A Police commission sat in 1836-7-8, and their opinion was against the union of the two offices in the same individual. In some districts the Police had been entirely made over to the Joint Magistrate, and, 'where 'this was the case,'—say the committee,—'the duty has been 'much better done.' A younger officer with less experience, but not overburdened with too many tasks, was naturally able to devote more pains to his Police work, and the usual good effect of the division of labour ensued. Had the offices of Collector and Magistrate never been united, there would have been equal advantage derivable from a division of labour with a greater share of experience under the superintendence of the Magistrate. One of the results of the Police Commission of 1838 was, that the

Digitized by Google

salary of the Darogahs, which was up till then twenty-five Rupees per month, was increased in 1839. The character of these officers was considerably improved by this measure, as well as, no doubt, by an increase of vigilance resulting from the attention drawn to Police matters in consequence of the proceedings of the Commission. But it was not long before a relapse gradually took place, and the general character of the Darogahs became bad. The subordinate burkandazes, badly paid, and with the example of their superiors before them, followed suit,—and it is well known that a man who had been robbed of a considerable quantity of property, would rather bear his loss and hide the occurrence, than, by bringing the Police to investigate, double it by payment of their contributions. Beside their corruption, the men were so utterly undisciplined, and deficient in courage, as to be utterly unable to fight the professional Lattials. In the affrays consequent on the Indigo disputes they were found unable to maintain the peace of the country.

Such was the state of the Bengal Police, and such had been the isolated and occasional attempts at reform made in different parts of India, when the Police Commission of 1860 was appointed. The objects proposed to this Commission, consisting of the members already named, were, 1*stly*, to ascertain the numbers and caste of all Police of every description in India paid from Government funds; and 2*ndly*, to suggest to Government any measures whereby expenditure might be economized or efficiency increased in the existing Police forces. In order to carry out the first of these two objects, the Commissioners were instructed to put themselves in communication with the Military Finance Commission, and to avail themselves of the information already collected by that body. They were to draw up a statement of the number and cost of all Police, civil and military, not subordinate to the Commander-in-Chief; showing the character, constitution, organization, subordination, and employment of each body. The statement was to include all civil guards, chaprassies, burkandazes, attached to courts, treasuries, or judicial or executive authorities; and the cost to the State for arms, clothing, pensions, and in short, for everything that was paid for out of the public revenues. Jail guards, whether supplied from existing bodies of Police or maintained for this special duty, were to be also shown in the statement. With respect to the second object, the Commissioners were to make such suggestions as would render the Indian Police, with due regard to the circumstances of the country, as nearly as possible like the body described as a perfect and economical Police in a Memorandum given to them for guidance. The characteristics

Digitized by Google

of such a Police, as contained in this Memorandum, are:—1*stly*, that it should be entirely subject to the Civil Executive Government; 2*ndly*, that its duties should be entirely civil; 3*rdly*, that its functions should be protective and repressive, or detective, *i. e.* directed to prevent crime and disorder, or to find out criminals and disturbers of the peace; but in no respect was it to be judicial, thus necessitating a severance of the Police from the Magistracy; 4*thly*, that the organization of the Police should be centralized in the hands of the Executive Administration; 5*thly*, that the organization and discipline of the Police should be similar to those of a military body; 6*thly*, that the appointment and dismissal of every Policeman should rest with the European Officer, to whom he would be immediately responsible; 7*thly*, that the Police should be divided into various bodies, differently armed and equipped, according to the different kind of work required of them; 8*thly*, that the Police should be paid at the highest rate of wages for unskilled labour, so as to secure the services of the best and most respectable of the labouring class; 9*thly*, that the Police should always wear a uniform dress; 10*thly*, that their arms should vary according to their duty; 11*thly*, that the direction of the whole interior economy should rest exclusively with the Officers of Police; 12*thly*, that there should be only one Police in one locality; and 13*thly*, that, where practicable, they should be drawn from the country in which they were called upon to serve. The Commissioners were empowered to draw up the draft of a Bill, and the Madras Police Act, (Act XXIV. of 1859,) already tried, was recommended as their model. Now the above propositions embody the principles upon which Police reform has been conducted at home, and when we presently recur to these propositions, and discuss how far they have been realized in the present system, we shall be dealing thereby with the point, how far home principles have in this matter been adopted in India.

The Police Commission, appointed on the 17th August 1860, lost no time in setting to work, and in September they submitted their Report containing a number of 'propositions unanimously recorded by the Police Commission as the basis of a 'Police system and an organized Constabulary.' We shall briefly advert to the most important principles contained in these propositions, in so far as they form an appendix to the other set of propositions, already given above, as intended for the guidance of the Police Commission in their labours. It was recommended that there should be two departments charged with protective and repressive duties and responsibilities; the one the Military armed force, under the orders of the Military

Digitized by Google

Commander, the other, a Civil Constabulary, subject to the Civil Executive Government. This recommendation stands at the very beginning of the Report, and most properly so. It is the very basis and stepping stone to every thing that follows. The very circumstances under which we became possessed of India, and the very nature of the Company's rule, necessitated a continuance, for at least some time, of the Patriarchal form of government, as it has been termed, which we found in the country. It was at first utterly impossible to have separate duties performed by separate individuals or bodies, who should be responsible for the performance of these duties and nothing else. This, in more technical language, amounts to saying, that we did not find in India, nor were we able to create with a magician's wand, that phase of civilization to which the theory of the division of labour could be applied with success and advantage. It was not till the time of Adam Smith that this theory, with all its consequences and ramifications, was discovered. Should we not be more correct in saying, that it was not till his time, or a little before it, that civilization, trade, and commerce, in Great Britain, had so far progressed as at once to admit and demand the division of labour? One of the greatest difficulties the first inventors of the locomotive had to contend with was the difficulty, or rather impossibility, of getting skilled workmen to make with sufficient nicety and strength the different parts of the engine: nor was the difficulty ever overcome, till Stephenson, in conjunction with his Quaker friend, Mr. Pease, established at Newcastle a locomotive foundry and manufactory. At the present time so far has the division of labour in this kind of work been carried, that every portion of the locomotive is the work of a separate class of workmen, whose proficiency in their own department, increased by daily experience, contributes to the superiority of the present splendid engine over the original 'Puffing Billy,' first constructed with the aid of the common colliery blacksmith. As this country advances in progress and civilization, so will the division of labour become as necessary as it was in the first locomotive foundry; and the same progress that makes it necessary will cause its working and meaning to be understood.

To return from this digression.—The first levies of the Company were used and meant to be civil guards: circumstances involved their being called out as soldiers; and through the long career of war and conquest which followed, there necessarily ensued a confounding of civil and military duties to be performed by the same corps. Jail guards, escorts for treasure,

Digitized by Google

guards for courts and treasuries, were supplied from the different native regiments. Almost immediately after the transfer of India to the Crown, it was objected by the Commander-in-Chief at Madras, Sir P. Grant, that it was impossible to keep up military discipline and efficiency, while the army was broken up into small detachments, and dispersed over the country for the performance of these multifarious duties. The separation of the Military Force from the Civil Police was therefore a preliminary point agreed upon by the members of the Police and Military Finance Commission. The guarding and watching of jails, treasuries, and stores, the escort duties connected with them, the protection of public property of every description, were accordingly held to be appropriate duties of the proposed Police. As a practical step towards the accomplishment of this object, it was proposed to combine into one body, under one head, all classes employed in the various duties held to be of that nature, which should be performed by a Civil Police. This necessitated the absorption into the constabulary of the Thuggee and Dacoity Departments, and also of the Municipal Police. The Village Police on the same principle were to be subordinate to the District Superintendent. It was also recommended that the Police should constitute a separate Department in subordination to each of the Local Governments, and presided over by an Inspector-General, upon whose appointment the executive functions of officers above the grade of Magistrates of Districts, *viz.* Commissioners, should cease in connection with Police matters. The separation of Judicial from Police authority was admitted to be a sound principle, but an exception was recommended to be made in favour of the District Officer. The local distribution of the Force was provided for by forming the Police District into divisions, sub-divisions, sections, rural walks, and city beats; and assigning each man of the force a certain known daily routine duty, connected with the observation of the country. The quartering of an extra Police force in disturbed districts, and charging the inhabitants of the offending tract with the cost of the force thus deputed, was to be a power in the hands of Government in extreme cases. This plan was borrowed from the Irish constabulary, as it had been found most effectual in Ireland for the suppression of agrarian outrage and disturbance. No private person or company was to be allowed to keep up any body of men for the protection of life and property, if the Magistrate should consider such men likely to commit a breach of the peace; but the Magistrate was to have the power of sending a portion of the Police to afford this protection, charging the person requiring it for the services of the

Digitized by Google

men performing the duty. Such is an outline of the most important recommendations of the Police Commission, many of which will be recognized by a glance at Act V. of 1861, which was introduced before the Legislative Council by Sir Bartle Frere on the 29th September 1860, and passed in the following year.

There is one portion of the proceedings of the Police Commission which we shall purposely pass over, because it has been already noticed in a late number of this Review; we mean, that portion relating to the village police. We shall confine ourselves to repeating what was then enunciated, *viz.*, that the new police will never be what it was originally intended to be, until the village police shall have been entirely reorganized, and brought under the immediate and entire control of the Police Department.

In order to enable our readers to decide how far the suggestions and recommendations of the Police Commission were calculated to remove the shortcomings of the Indian police, and to establish a new system on a proper basis, it may be well to notice here a few opinions of men well able to form a judgment on the matter, as to the deficiencies of the old force, and the requirements of a new one. The reader will have collected from the foregoing pages no small acquaintance with this subject, and his experience will doubtless furnish him with more, but it will conduce to his further and more perfect knowledge, to be informed what they thought, who had an opportunity of looking at the subject in all its bearings, assisted by the results of the experience of others as well as of their own.

In the first place, there is little doubt that, as remarked in the House of Commons when the first Police Act was debated in 1829, a system of efficient police will obviate the necessity for inflicting severe punishments. When detection and punishment are sure to follow crime, the man about to commit an offence will more surely be deterred by a minor punishment, which he knows he will certainly incur, than by the risk of incurring a greater penalty, the chances of escaping which are, however, in his favour. Under the old system, these chances predominated, and this was one cause of the increase of crime. Another cause, already touched upon, is, that while too many duties were concentrated in the hands of one individual, it was impossible for him to attend properly to each. Hence, on this ground alone, the Collector-Magistrate ought to be relieved of police duty, or of the heaviest portion of its details. The remedy proposed by Sir George Clerk, in his minute of 1848, was to give the Magistrate an Assistant for the sole purpose of

Digitized by Google

superintending the Police, and of devoting, when requisite, his whole time and attention to investigate any particular crime or class of crimes. The Torture Commissioners saw the necessity of some similar remedy, and recommended the separation of revenue and police functions. This recommendation had however special reference to the Madras Presidency, and to the native subordinates of the revenue system in practice there. Meanwhile, to reform the police system in Bengal, Mr. Halliday, then Lieutenant-Governor, had been recommending the union of the offices of Magistrate and Collector, which had been disunited in 1838. On this point the present Sir John Peter Grant wrote in 1854:—'There was a stir about the badness of the Police in '1838. Mr. Halliday then recommended the disunion of the 'offices of Magistrate and Collector, which was effected. There 'is a cry about the badness of the Police now: Mr. Halliday 'now strongly recommends the union of the offices of Magistrate 'and Collector. Are we never to get out of this round? Can it 'be right in the Government of this great country to spend 'its time and its energy, and the time and energy of its officers 'always, in turning half a dozen into six, and then in turning six 'back into half a dozen?' The fact of the matter is, that these able men were trying so to arrange the means of supervision at their disposal as to bring it to bear with the greatest efficacy upon the work to be done. It is not surprising then, if, like a person trying to get the best light in which to see a picture, they found themselves more than once in the same posture and place. Moreover the Mr. Halliday of 1854 may have been a wiser man than the Mr. Halliday of 1838, and may have found good reasons for changing his opinion in the interim.—Be that as it may, there is little doubt that what was really required was more European time and superintendence devoted to the task, and that, until this could be afforded, any change made would be similar in its results to the endeavours of the ingenious individual to lengthen his blanket, by cutting off a portion from the bottom and adding it on to the top.

Sir George Clerk, in the minute we have already quoted from more than once, thus writes on another point:—'It is our 'boast that we have given to the country perfect general peace 'and freedom both from all alarm of foreign invasion and 'from danger of successful internal rebellion: yet it would seem 'that whenever anything resembling rebellion does occur in 'this Presidency, in all that relates to early warning of the 'impending danger, the speedy detection of those implicated, 'and the consequent early suppression and certain punishment 'of the rebels, the police is lamentably deficient. The out-break

Digitized by Google

'generally takes the authorities by surprise, and is only sup-
'pressed by the expensive and cumbrous expedient of employing
'large bodies of regular troops.' 'Every word of this,' says Mr. Ricketts, 'is applicable to the Sonthal insurrection.' The action of the Bengal Police in the late Patna conspiracy forms a favourable contrast to this description of the efficiency, or rather inefficiency, of the old force.

It was always an admitted fact that the energy of an individual Magistrate always made itself felt, and produced a sensible effect and improvement on the Police. This proves that want of proper superintendence was one great desideratum of the former Police, and is also an argument against a system, the efficiency or non-efficiency of which would depend too much on the efforts of an individual. To ensure the success and permanence of any system, it is necessary that it should have an inherent self-sustaining power, to enable it, like a watch that goes while being wound up, to preserve its equable movement unaffected in any considerable degree by any change of individual officers. We are well aware that the energy of a district superintendent of police can in a short time make itself felt throughout the entire force at his disposal; but if that force be properly organized, its efficiency will not be entirely paralysed for the time by the indolence or incapacity of the same officer. Connected with this point was the want of any central controlling authority over the entire former police system. It resulted from this, that uniformity and regularity could never be introduced into the working of the separate bodies in each district. We have seen that the only attempt made to accomplish this end was in Bengal, by the appointment of superintendents, but these never exercised such a general centralizing influence over the entire police of the province as to secure any of the advantages to be derived from departmental supervision.

Another point already noticed and admitted on all hands, is that the former force was grossly underpaid. Something was done, as we have seen, towards raising the pay of the darogahs in Bengal, but nothing was done for the burkundazes, whose pay in most places was below that of the common working coolie. The result was, that the men made up their pay by forced contributions from the people, and even where no unusual extortion was practised, regular fees were paid for every thing done in the execution of their duty. Some Magistrates most unwisely fined the burkandazes and darogahs for faults of omission and commission, and these naturally made up the loss by practising additional corruption and venality, thus turning the means used for their improvement into a source of greater

Digitized by Google

detriment to the public service. While on this topic, we may remark that money fines should be very sparingly resorted to as a means of punishment by officers in charge of police. Such a practice only tends to make their subordinates corrupt, and drives them to take bribes, begetting a sort of carelessness and recklessness as to the result. The surest way, to encourage efficiency and elicit a real desire to fulfil the requirements of duty, is to work upon the native's *love of power*.' Let promotion to a higher post be the sure reward of industry and respectability, and degradation to a lower post be as surely the punishment for indolence and rascality; and a very short time will suffice to raise the character and moral self-respect of the force subjected to this dealing.

Returning now to the thread of our subject, we shall examine the thirteen propositions laid down for the guidance of the Police Commission, and embodying the principles followed out in the organization of the system of police established at home; and shall try how far they have been followed, or are applicable or inapplicable, to police reform in Bengal. The first of these propositions is, that a good police should be entirely subject to the civil executive Government. This rule excludes from the police all local corps employed on duties exclusively military and under the orders of the Commander-in-Chief. It also does away with the old system, under which the police were supervised by the higher judicial authorities. Quite enough has been already said to show that, having regard only to the perfunctory manner in which the duty of supervision was performed, the change resulting from this rule would be for the better. Further remark on this point is unnecessary, as the adverse ground has never been taken up by any opponent, and the desirability of this reform is admitted by all parties.

'That the duties of Police should be entirely civil not military,' is the second proposition; and, like the first, has given rise to little discussion. Sir Charles Trevelyan, when Governor of Madras, truly observed in one of his minutes, that 'the key to 'the organization of our Indian military system is the reforma-'tion of the existing police on the English and Irish constabulary 'principle, and the formation of a *real police* well organized, well 'paid, well superintended by selected European officers.' The separation of civil and military duties has been already partially alluded to. While the military force was spread over the country, discharging multifarious duties of a civil nature, discipline suffered, and in case of exigence, it was a tedious and confusing process to bring these detachments together. But these civil duties being assigned to a police strong enough, and not too

Digitized by Google

strong, for their performance, a much smaller force of regular troops maintained in large bodies, kept regularly disciplined, and capable of being concentrated at a moment's notice on any point, would suffice for the military possession and retention of the country. Had such a system been in operation at the time of the mutiny, with how much greater rapidity would we have been able to check the evil, and how much might have been saved, that we can now only deplore! Had such a system existed at the time of the Sonthal rebellion, how quickly would the first sparks have been extinguished! And, with such a system in existence, and a net-work of railways over the country, how vain will be the attempts at future rebellion, and how futile the efforts of those, who would seek to rise against the rule of law and order! Under this second rule, the guarding of civil jails and treasuries, the escort of treasure and prisoners, and the duty of furnishing guards to civil officers in time of peace, fall within the province of the police, and have been rightly made over to them.

The third and fourth propositions are:—

'The functions of a police are either protective and repressive 'or detective, to prevent crime and disorder, or to find out crimi- 'nals and disturbers of the peace. These functions are in no 'respect judicial.

'The organization of the Police must be centralized in the 'hands of the Executive Administration.

'The great problem of Police arrangements', says the Resolution of the Home Department, dated 17th August 1860, 'is to reconcile this latter rule with the preceding one, that the 'police should be distinct from the judicial agency: because in 'all parts of India, but especially in what are called Non-regu- 'lation Provinces, the executive and judicial functions are united 'in the same hands in all public officers from the lowest to a 'very high, often to the highest, grade.' On the solution of this problem depends the relative positions of magistrates of districts and superintendents of Police, and the degree of authority to be exercised by the former over the latter,—a subject which has attracted considerable discussion of late in Bengal. The principle upon which this discussion proceeds, is that the duties of prosecutor and judge ought to be separate and distinct. The propriety of this principle few will attempt to controvert. Its application is however the difficult point. Some are for applying it in all its rigidness to the system we have just introduced; while others are for adapting it to the peculiar circumstances and requirements of this country. It has been often said that theories are dangerous things, but it would

Digitized by Google

better have been said, that some men make theories dangerous tools by persisting in carrying them out under all circumstances and at all hazards, according to the original model, or according to their preconceived ideas of that model. In order to enable the reader to judge for himself how far the theory contained in the above principle would be well applied in its entirety, and without any modification, we have collected, and shall place before him, the most important opinions on the subject, for and against its rigid enforcement.

Sir George Clerk, in the minute, from which we have quoted so often, expressed the opinion that the power of the magistrate, as head of the police, tended to neutralize that of the actual executive officer. Mr. Edward Lushington, one of the ablest Bengal magistrates, (as Mr Ricketts styles him in his report on civil salaries), who ruled with equal efficiency two districts different in every respect,—Patna and Chittagong,—thus gives his opinion. 'I am strongly in favour of the separation of the police 'altogether from the magistracy, and of the establishment of 'a superintendent of police in each district. One of the great 'defects in the present system is, that a magistrate commences a 'trial with a strong bias against the accused, for he feels that 'his own character will in a certain degree be affected by the 'result of his proceedings. If the trial end in a conviction, so 'much praise is due to the police, and to him as their head, for 'having apprehended the prisoner and collected the evidence 'which procured his conviction. If, on the other hand, the trial 'end in the release of the accused, it is inferred that the police 'did not conduct the preliminary investigation with sufficient 'care, or that the magistrate was wanting in discrimination, in 'directing the accused to be forwarded for trial on such insuffi-'cient or unworthy evidence. Another benefit gained by the 'separation would be the enlarged opportunities for the investi-'gation of serious charges, by the superintendent, at the place 'of their occurrence. Now, the magistrate has a choice of evils. 'He must either proceed to the spot himself, and thereby occa-'sion delay and inconvenience persons to concerned in other cases 'then pending before him, or he must trust this important duty 'entirely to his police'. It is difficult to see how the advantage referred to in the latter part of this quotation would not be equally well secured by having the district superintendent subordinate to the magistrate. The want pointed to is rather that of an officer of superior class and training always available for the duty of investigation, than exemption of this officer from the control of the magistrate of the district.

Mr. Schalch gave his opinion in favour of separation as

Digitized by Google

follows :—'The advantages would be, *firstly*, the more perfect superintendence of the police, the greater activity, intelligence, and honesty they would exhibit when under the control of an officer, who, from constant intercourse, would become intimately acquainted with them, and who would therefore justly reward the zealous, while punishing the idle and dishonest, a point under the present system not sufficiently attended to; *secondly*, the greater facilities which would undoubtedly be afforded by the people generally for the detection and suppression of crime, when they found the oppression of the police restrained by the presence and immediate supervision of the European superior; *thirdly*, the greater confidence which would be placed by the judicial officers in the proceedings of the police, when conducted, as would generally be the case in the more heinous offences, under the eye of the superintendent; and *lastly*, the more impartial trial which the offenders would obtain, and the less chance of their acquittal on appeal.' It is impossible not to see that the weight of this opinion is also directed to the want of a European superintendent for the sole duty of police, and not to his subordination or otherwise to the magistrate of the district.

In the North-West Provinces, the general opinion was for having fiscal and police power in the hands of the same officer. Mr. Robertson, Lieutenant-Governor in 1842, dissented on account of the incompatibility of the two duties, and Sir G. Clerk in a minute dated 11th October 1843 also dissented, but on the ground that the work was too much to be properly performed by a single officer.

The Madras Sudder Court in a letter dated 22nd November 1854, expressed the opinion, that 'the separation of the judicial duties of the magistrate from those which relate to the prevention and detection of crime appears to the Judges to be an excellent arrangement. It moreover is most desirable to have an officer who may be available on an emergency to trace out serious crime on the scene of its occurrence, and on whose proceedings full confidence may be placed.' Here again it is the want of another officer that is the gist of the opinion expressed, and the point of his subordination is not really gone into.

Lord Harris, then Governor of Madras, recorded his opinion in a minute dated 11th September 1856, as follows :—'I believe the liberty of persons is seriously involved in this question, and that it cannot but suffer detriment to a greater or less extent where magisterial and police duties are devolved on the same officer.' It may safely be said that this is the bare enunciation of the principle, and that the results linked on to its viola-

Digitized by Google

tion in India will not find an echo save at Madras, and under the proceedings brought to light by the Torture Commission, and they are chargeable not to the violation of the principle, but to the want of that additional supervision, which all concurred in demanding.

The Hon'ble William Elliot gives a qualified opinion. He would have the magistracy separated *as far as practicable* from the police. He would have the superintendent of police subordinate only to the collector, but invested with exclusive direct control over all the police of the district. In another minute, dated 4th June 1858, he says: 'I do not see how these local 'officers can be placed under the district magistrate in any respect, 'when they are directly subordinate to a chief commission-'er.'

The Hon'ble W. H. Morehead, in a minute of the same date, writes thus:—'The magistrate should have no control over the 'police. At first the magistrate will necessarily be the person 'most conversant with the police of the district; but in a very 'short time, after the introduction of the new police, the commis-'sioner (of police) and his subordinates, will, if they are efficient, 'know more in respect to these matters than has as yet been the 'case with the most active magistrate.' These last two opinions are, it will be noticed, those of members of the Madras Civil Service.

The Police Committee of 1838, reported as follows:—'The 'majority of the committee, in concurrenec with almost the 'whole of the gentlemen both in and out of the service, who 'have been asked their opinions on the subject, think decidedly 'that the efficiency of both departments would be much better 'secured, generally speaking, by entrusting the superintendence 'of each to a distinct functionary. We are of opinion that their 'attention would be less distracted by conflicting duties; that each 'would then be individually responsible for his own department, 'and enjoy the whole credit of his own exertions, and it will not 'be the least of the advantages resulting from such an arrange-'ment, that no idle or incompetent person could then be long 'tolerated in either situation.'

Mr. D. C. Smyth of the Bengal Civil Service was for disjunction of the offices, and considered this division of labour to be indispensably necessary as a preliminary arrangement; nor did he anticipate any improvement in the state of the police until this suggestion was carried out. Mr. F. C. Smyth, one of the old Bengal superintendents, was for disunion. He writes:—'Nothing 'can be worse than the union. It is wrong in theory and evil 'in practice. I need not say any thing more on this subject, as

Digitized by Google

'I believe, out of Calcutta, the opinions of the service are 'unanimous.'

The following remarks by Sir J. P. Grant bear on the subject:—'Every officer of Indian experience will understand why 'the fact of the two classes of native officers being under dif- 'ferent European heads causes in the one class a wholesome 'fear of the other. A European Officer is always the last per- 'son to hear of the malpractices of his own native subordinates. 'The people will complain to any one else, but it is hard to 'induce them to complain to a Chief of the conduct of those 'under that Chief's orders. A European will hear plenty of 'the conduct of Native Officers over whom he has no control; 'but he will hear little against those who serve him or serve 'under him; and what little he does hear will be probably in 'the shape of charges, which in the manner and form alleged, 'are false. The judicial ermine is, in my opinion, out of 'place in the bye-ways of the detective Policeman in any coun- 'try, and those bye-ways in India are unusually dirty.'

Sir Barnes Peacock, in his minute, dated 30th April 1857, expressed the opinion that the superintendents of police should not exercise any judicial powers, and that the offices of collector and magistrate should not be re-united, if the magistrate was to continue to have any superintendence over the police of the district.

Sir Bartle Frere, in moving the first reading of Act V., expressed himself thus:—'The superior officers and magistrates 'were either inefficient superintendents of police, or if active as 'police officers apt to be biassed as magistrates. The earliest 'attempts at reform were made in the Presidency towns by 'appointing superintendents of police separate from the magis- 'trates, and it was observable that the result had been invariably 'such as to demonstrate the soundness of the principle of that 'separation. He thought that any body coming to Calcutta, 'where the police and judicial duties of sitting magistrates 'had long been separated, must be struck with the general 'efficiency of the police.'

Mr. Sconce, on the same occasion, rather inclined to the 'separation of executive from judicial functions. It was not, 'that he objected to the separation of the two functions, but 'he felt as the commissioners seemed to feel, that much diffi- 'culty would be experienced in bringing the change into prac- 'tical and consistent operation. Many officers entertained great 'doubts as to so entire a change, and the better plan, he thought, 'was to adopt some middle course as suggested by the commis- 'sioners. At the same time he quoted the opinion of Sir

Digitized by Google

'Frederick Halliday, who, (as he himself says) in the days of 'his smaller experience advocated the opinion which he after- 'wards heartily condemned, *viz.* that magistrates of every degree 'should be debarred from all judicial powers, and should have 'nothing but the executive duty of preventing and detecting 'offences, and that separate judicial functionaries should always 'receive and try cases of every kind committed to them by the 'magistrates of various degrees.'

To the above opinions for separation we may add that the exigencies of the public service require that covenanted officers be moved, constantly, from one district to another. This, while it conduces to that general experience and those comprehensive ideas not limited to any particular place or district, which should be possessed by men charged with the administration of this country, is detrimental to their obtaining that local knowledge and experience of each particular district, which is so essential to the success of police operations. However, the magistrate of a district, who, before rising to this position, would have had opportunities of drawing much valuable generalized information from several districts, would be able to effect much good by a prudent application of the results of his previous experience, whilst a busy meddler in local details,—of which a district superintendent who had been for some years in the district must know more than the magistrate,—would be sure to paralyze the action and energy of the police.

We shall now look at the other side of the question, and see what are the opinions against separation. 'There are,' says Mr. Ricketts in his Report, 'high authorities in this 'country besides the Lieutenant-Governor of Bengal, who 'think that it is necessary to keep the police in the hands of 'the magistrate.' Mr. Robinson, when first appointed commissioner of police at Madras, thought it desirable to maintain the authority of the magistrate: and when this principle was tried he found that there was no injurious clushing of authority. Lord Harris, who, we have seen, in his minute of the 11th September 1856, advocated the opinion that the magistrate, as a judical officer, should have nothing to do with the police, afterwards modified this opinion, as will appear from the following extract from another minute dated 3rd June 1858:— 'But inasmuch as the chief magistrate of each district is and 'will be responsible for the peace and order of his province, it 'is not only advisable, but necessary, that he should have a voice 'in the distribution of such portion of the force, as shall be 'attached to his district, and should be kept acquainted with

Digitized by Google

'all the information gained by the police, and receive from the 'force all the assistance required. In fact, for all purposes of 'usefulness as regards his particular functions, the deputy com- 'missioner of police, (*i. e.* district superintendent as he was 'afterwards styled) will act towards him as his subordinate offi- 'cer.' We have already quoted the directions sent by the Madras Government to their member, Mr. Forbes, when the Madras Police Act was before the Legislative Council. It was the distinct and unanimous intention of the Madras Government, that the local superintendents of police were to be entirely under the orders of the local magistrates.

In the report from the Police Commission of 1860, to the Government of India, the Commissioners write:—'We have 'arranged for this force being in all respects subordinate to the 'civil executive Government, and for its being an efficient 'instrument in the hands of the magistrate for the prevention 'and detection of crime, and under his control for the criminal 'administration of the district. We have aimed at placing the 'relations between the magistrate and the officers of the police 'force on a satisfactory footing, and at preserving the responsi- 'bility now vested in the magistrate for the conduct of the 'criminal administration; and, on the other hand, we have taken 'care to secure to the police officers that position which is 'necessary to the discharge of their responsibility for the effici- 'ency of the police.' The Commission adverted to a despatch of Her Majesty's Government to the effect that the civil police should be under the control of the magistrates of districts, subject to the supervision of the division where such officer exists. Further on, the Commissioners, while approving the principle of separation of judicial and detective duties, make an exception with respect to the district officer. 'The magis- trates', say they, 'have long been, in the eye of the law, execu- 'tive officers, having a general supervising authority in matters 'of police, originally without extensive judicial powers. In 'some parts of India this original function of the magistrate 'has not been widely departed from; in other parts extensive 'judicial powers *have been superadded to their original and proper 'functions*..... It is at present inexpedient 'to deprive the police and public of the valuable aid and super- 'vision of the district officer in the general management of 'police matters.' At the same time they carried out the funda- mental principle so far, that they held that the district officer was the lowest grade in whom police and judicial functions should unite, and that consequently, all officers below that grade should cease to exercise those functions, beyond issuing such

Digitized by Google

orders as might be necessary in their judicial capacity in specific cases before them.

From the above opinions, given in detail, we think it will be apparent that under the old system the chief want was that of a European Officer whose whole time should be given to police matters; that the violation of the principle of separation of judicial and police functions was attended with injurious results, as far as concerned native subordinates: and that the mischief resulting from the union of the two duties in the hands of the collector-magistrate was rather the result of this officer having more to do than he could properly attend to, and paying greater attention naturally to those duties, which ensured his promotion, than of any proved use of one set of powers to the abuse of the other set, on the part of this European functionary; that, though a magistrate, who was also the head of the police, might feel some bias in trying prisoners, whose commitment for trial he had superintended, yet that this was more than counterbalanced by advantages derivable from the position of the magistrate, as chief executive officer of the district, and the benefits resulting from this position in connection with the police; that the magistrate has always been the head of the police, and his judicial functions were superadded to his police functions, and not his police duties to his judicial authority.

Let us now see exactly how matters have stood in Bengal since the introduction of the present Police Act. The district superintendents and their assistants were at first disposed to have little regard for the magistrate of the district. Few of them were at first acquainted with anything of law or procedure. We have known one assistant superintendent in charge of a district direct the jail guards not to salute the magistrate; we have known another take down the depositions of witnesses summoned by a judicial officer, and send them instead of serving the summons, on the plea that the witnesses were known to him and would not tell an untruth, while it was very inconvenient for them to go thirty miles to give evidence. We have known a district superintendent, on a petition being presented at a Thanah, direct that a *bund* be cut and the water let out over a village of paddy fields, and that any one attempting to close it should be arrested. We have known another send for all the witnesses in every case, and hold a sort of preliminary trial in his own office, before making up his mind to *commit* them to the magistrate. We could cite many more instances of errors of judgment, authority, and procedure made by the first superintendents and assistant superintendants. But let us not be

Digitized by Google

misunderstood. We do not mean to disparage those officers. They have, as a rule, set to work in earnest, and in a short time have done much towards future efficiency; but Rome was not built in a day, and it is perfectly and utterly impossible that they could have started correct in everything, and have organized a new system immediately. But we mention these facts to show how dangerous an experiment it would have been to have withdrawn the supervising authority of the magistrate of the district, and to have left the uncontrolled power of the police in new and inexperienced hands. We cannot then but admit that the Lieutenant-Governor of Bengal was correct in laying down in the Resolution of the 22nd September 1862 that 'the administration of the Police throughout the local 'jurisdiction of the magistrate of the district is vested in the 'district superintendent of police *under the general control and* 'direction of the magistrate. The district magistrate has no 'authority to interfere in the internal organization and disci- 'pline of the police force, but in other respects his position in 'relation to the police is not materially changed. The district 'superintendent is in effect an aid to the magistrate for the 'superintendence of the police of the district.' And in a subsequent circular, district superintendents were told that they were the magistrate's assistants for police duties, and as such *were bound to carry out all his orders.* There is little doubt that the discussion of the point has been a little embittered by the struggle of the young district superintendents to be independent; by the appointment to the post of district superintendents of military men advanced in years (for whom Government was bound to provide) who could ill brook to be subordinate to magistrates very much younger in years, though undoubtedly older in that particular experience; and by the tenacity with which some older members of the covenanted service have clung to the possession of that power, which is inseparable from police authority. These however are mere disturbing causes, and must be set aside in viewing the real question at issue. For our part we approve of the principle of disseverance, but, with Mr. Sconce, we would remind its advocates that it is one thing to lay down a principle, and another to act upon it at once and entirely. We think the time has not yet come; the police department has not been long enough in existence; its working has not been sufficiently tried; its organization has not been sufficiently perfected; its subordinates have not yet been sufficiently experienced; to warrant Government in trying the experiment of taking the responsibility of the peace of the country out of the hands of those who have conducted it so long, if not in the most effective manner,—a

Digitized by Google

result impossible indeed, considering their multifarious duties,—yet without any great general deficiency or danger to the public or the Government. The time may, probably will, arrive, when the transfer may be made with safety and advantage, but we cannot think that time has yet come.

It remains to notice some facts connected with the point before us. The principle of separation of police and judicial functions is violated in Bengal more in name than in reality. Of late years the executive duties of the collector-magistrate have increased to such an extent as to leave him very little time for original judicial work either in the revenue or criminal department. We may safely say that very few collector-magistrates in Bengal do more judicial work than hearing the appeals in criminal cases from subordinate magistrates, and in Act X. cases from the decisions of the deputy collectors, except indeed in the districts (some few out of the whole number), where there is no joint magistrate and deputy collector. In all the other districts the heavy police cases come before the joint magistrate, who of late years is generally an officer of such judicial training and experience as to be safely trusted to deal with them. It thus seldom or ever happens that the district magistrate sits as a criminal judge to try the offenders, whose apprehension he has directed. Moreover under the code of criminal procedure the officer in charge of a police station has a more independent action in forwarding offenders than had the darogah under the old system. Neither the magistrate nor district superintendent have, in general, much to say to the forwarding of the first persons sent in charged with an offence. It is only when the action of the police at the station, within the limits of which the offence was committed, has been misdirected, that the magistrate interferes; or he may direct some person to be sent in, who was released by the police on bail.

The inevitable tendency of reform in Bengal at the present time is to separate all judicial and executive authority. We believe that the collector-magistrate or the officer occupying that position, whatever may be the official title given him, must remain the chief executive officer of the district, and that his judicial function will be gradually taken away. As matters now stand, we have shown that he disposes of very little original criminal work. If the Small Cause Court Bill now before the Legislative Council succeed, we see no reason why suits for simple arrears of rent should not be decided in these courts, while the revenue courts might still be permitted to retain jurisdiction in suits for enhancement, ejectment, possession, and the other ques-

Digitized by Google

tions tried under Act X. which all taken together are scarcely more in number than the suits for simple arrears. This would take another large slice off the judicial powers of collector-magistrates, and leave them more time for their numerous executive duties.

We come now to the fifth proposition, *viz. that the organization and discipline of the police should be similar to those of a military body.* This was a good fundamental proposition to start from: and no one can object to the explanations and directions given along with the original propositions, *viz.* that the *organization* should be so far military, that every man's rank in the force should be an unerring index to his position and duties, and show at once, who is to command and who to obey. The discipline should be military, as far as regards regularity, implicit attention to all orders, and punctuality in all duties; and as far as may be necessary to ensure cleanliness and uniformity both on and off duty. As regards drill and parade discipline, it should never exceed what is necessary to enable the police to deal with large bodies of non-military men. There was at first a tendency to pay too much attention to drill and parade in the new police. This occurred chiefly with such district superintendents as had a peculiar liking for that part of their business, which they knew best from having had previous experience therein, as infantry or cavalry officers. But this tendency to pay too much attention to a subsidiary point at the risk of neglecting the chief duties of their post has been promptly repressed by the Government, and all fears of more important concerns being sacrificed to mere parade may now safely be laid aside.

The appointment and dismissal of every policeman should rest with the European Officer to whom he is immediately responsible; is the sixth proposition. There is no doubt whatever that there is no country in the world, where, in order to rule effectively, it is so necessary that authority should be brought to bear immediately on those who are subject to it, as in India. Any system, that enables subordinates to appeal from the orders of their immediate chief to another power at a distance, will be sure to weaken the authority of that chief, and if such a system do not absolutely fail, it certainly will not succeed. Let the native know that he has nothing to hope or fear from any one save his own immediate superior, and he will use his best endeavours to please that superior by doing his duty. But let him know that this superior has again another superior to whom he can appeal and tell his story, and his obedience will be diminished one-half. Act V. of 1861, Section 7, embodies the above proposition. Under the authority conferred by that section, the local Go-

Digitized by Google

vernment has allowed an appeal in the case of subordinate police officers of a certain class from orders of the district superintendent dismissing or suspending them. We think it right that in the case of those excepted classes the privilege of appeal should be allowed, and that a man who had, by merit, after some years of service, raised himself in his service, should be protected from summary dismissal or suspension at the will of an inexperienced or prejudiced superior. But we hope to see the privilege so exercised, and the appellate power so wielded, by superior officers, as never to weaken the authority or diminish the prestige of those who are charged with the superintendence of the police of the districts.

The seventh proposition, *viz., the police must be divided into various bodies differently armed and equipped according to the different kind of work required of them,* is rather of imperial than local application. A few mounted police have been well placed at the disposal of each district superintendent. In Assam and some parts of Bengal elephants are indispensable as a means of locomotion. In the Soonderbunds boats will always be required for the river police, while the great majority of the force will use the means of locomotion which nature has given them. With respect to the arms, which should be assigned to the force, we may here treat the tenth proposition, *that the arms of the police must vary according to their duty.* We believe truncheons and a few cutlasses would have been sufficient weapons for all purposes, to be kept at the thanahs or police stations. Muskets are required for guards at the sudder station for escorts of treasure, and for some few other duties, but we would never have sent them to the thanahs. The musket more than any thing else has tended to the assumption by the police, and the assignment to them by the native rustic population, of the name of 'Sipahis.' The feelings first inspired by the military character of the new police will doubtless disappear in the course of time. They have arisen in many places chiefly from the admixture of men of the old police battalions with the new force, and are kept up by the constables themselves, who think a sort of dignity attaches to the term *Sipahi;* and that it is calculated to produce greater fear and respect towards them. Such feelings, so long as they last, are serious impediments to that co-operation of the people, which is so essential to the success of a police system. We cannot help feeling that it was a mistake to give a new name to the men of the police force, or at least to give them one so foreign as that of *Constable.* There is much in a name, and a new system with old names for its component parts would have been less strange to the people than a new system with

Digitized by Google

new names. The name might have been changed afterwards when the system had become familiar, or the name of the privates of the force might well have been an old familiar one, while that of the officers, with whose epithets the rural population have less to do, might have been changed to suit the requirements of reform. It is scarcely too much to say, that had the privates not been christened *Constables*, they would never have been dubbed *Sipahis*.

The eighth proposition is: *The pay of the police must vary according to time and place, but it may be laid down as a general rule that it should be always sufficient to give the foot policeman something more than the highest rate of wages for unskilled labour, so as to ensure Government having the choice of all the class to which unskilled labourers belong, thus securing the best and most respectable of that class for the police. The pay of mounted policemen and of the superior grades will of course be higher according to their expenses and rank.* The utility of this proposition is self-apparent: and all the more so when we remember the character of the old police as given by the Madras Torture Commission;—'underpaid and *therefore* notoriously corrupt.' It will take time before the native system of bribery can be entirely eradicated, especially as those, for whose interest its eradication is intended, are the very persons who keep it up. A native cannot be persuaded that he will get justice from a native without giving something. But when the absolute necessity for exaction has been taken away from the lower grades, and when the higher grades are filled with men whose interest and *izzut* it has become not to connive at such doings, we may safely expect that time will put an end to corruption. But we must give time, we must wait till the old leaven has died out, or has been fused with the material worked up under the new system. A beginning had to be made in starting the police, perhaps the beginning was made too soon; or when made, perhaps things were pushed on too fast. It is easy to be wise after the event. It would have been impossible to begin in all districts without using any of the old material, and probably the raising of the full complement in a short time led to men being enlisted, who should not be in the ranks of the police; but it must be remembered that the local Bengalees held back and would not enlist. Matters have changed recently in this respect, and a judicious weeding will have at least the good effect of showing the people and the force, that though unworthy members were inadvertently admitted, they will not be retained in the police as now constituted. The same rate of pay has been fixed for all Bengal, and the same proportion of men on each of the three grades of pay has been allowed in all

Digitized by Google

districts. But in places not more than fifty miles apart, the daily wages of the common coolie varies as much as from two to four annas. In Chota Nagpore wages for unskilled labour have scarcely reached two annas per diem, and five rupees per mensem would be good pay: the difference between the coast lines of Cuttack and Chittagong has been noticed by Colonel Bruce. Labour on the former line is cheaper than on the latter. Though the fixing a higher rate of pay in any districts might have had the effect of drawing recruits to them, and leaving the other districts unsupplied, it might be advisable to vary the proportion of constables in each district with advertence to the prevailing rates of wages as compared with other districts. Though we are well aware that the backwardness of Bengalees to enlist originally arose from the rumours circulated by the old burkundazes and the court amlah, yet it might be important to see if the question of pay has not in some way contributed to its continuance where it has continued. The pay that is a prize in one district is not so in another district, where a man can earn nearly as much at other occupations, and can enjoy occasionally, in addition, that *otium* so dear to the denizen of Bengal.

The police should always have a uniform dress: is the ninth proposition. 'It need not vary more from the usual dress of their 'class than is sufficient to mark them as public officials on duty, 'without anything peculiar to catch the eye, or to feed the vanity 'of the wearer' is the explanation appended, and we cannot but coincide. Four rupees per man per annum for all whose salaries are less than thirty rupees per month are contributed by Government,—contributed wesay,—because this is not sufficient, and the constable has to make up the difference out of his pay. The stock of clothing he must keep up varies according to the wishes of the district superintendent, and we have cause to know, that in many places, the men are not satisfied with the state of matters in this respect. Some rules of general application would be well laid down. Blue has been selected as the uniform of the constables. Would not white, with distinctive belts and puggeries, have contributed more to cleanliness and utility? With respect to the uniform of the officers, we cannot but agree with Colonel Bruce's remarks, who terms it a mixture of Horse Artillery, Life Guards, and Dragoons, quite unsuited to the persons or pockets of policemen.

The eleventh proposition is, '*The direction of the whole interior 'economy of the police must rest exclusively with the officers of 'police.*' There have been few found to contend against the propriety of this proposition. We have heard indeed that the magistrates have on many occasions tried to meddle with mat-

Digitized by Google

ters of internal economy, and thus violate one of the most important principles upon which the new system is based; but that these reports have entirely arisen from a few instances that must naturally have occurred in any transition consequent on a change, and that these instances have been entirely exceptional, cannot be doubted for a moment by any one, who will read Mr. Carnac's and Colonel Bruce's reports. The harmony that has prevailed between the magistrates and the police has been matter of remark by the Lieutenant-Governor: and Colonel Bruce finds fault with the magistrates, *not* for too much interference, but for too little. He considers that as a rule they have refrained that from legitimate control which by law they are bound to exercise. Under those circumstances, there can be little doubt that the direction of the interior economy of the police has not hitherto been interfered with by the magistrates; and not having been so far interfered with, there is no ground for supposing that such interference will be made hereafter.

There cannot be more than one police in locality, is the twelfth proposition. Divided empire is sure to end in confusion. The subject of the village police, and their subordination to the district superintendent falls under this head. On this point we have already given our opinion. Colonel Bruce considers that the most important subject for consideration and action is the present condition of the village police in the agricultural districts under the Government of Bengal. Mr. Carnac presses the subject upon the attention of Government, and, in connection therewith, the Ghatwalee tenures in Beerbhoom and other places. The importance of the question is fully admitted, and the whole subject of the rural police in Bengal is mentioned as one for early legislation. Data are being now collected, and we may expect to see the matter taken up, as soon as the necessary preliminary preparations have been made. Connected with the proposition, now under consideration, is the subject of the railway police. In the remarks appended to the original proposition, it is laid down, that an apparent exception may exist in the case of railway police; but it ought to be only apparent, as the *status* of the superintendent of railway police should always be that of a deputy to the superintendent of a district *pro hâc vice*, with his duties confined to a particular defined locality, *i. e.* the line of railway and the ground in the occupation of the railway company. Since these remarks were penned the railway system has been considerably developed in India, and experience has shown the weak points of the present system of railway police, and the necessity for improvement. Undetected cases of theft of railway pro-

Digitized by Google

perty are numerous. The trespassing of cattle on the line, so dangerous and so likely to lead to accidents, has gone on increasing; and the present railway police are quite unable to cope with the difficulty. They have no legal power to arrest offenders. The gate-keepers posted singly along the line, at some distance from each other, are unable to co-operate, and the villagers rescue their cattle when seized, and often ill use the railway chowkedars and injure the railway property out of revenge. Again the gate-keepers exact illegal tolls for suffering carts and cattle to cross the line of railway at level crossings, and if these demands are not complied with, they refuse a passage under pretence that a train is coming. A bad feeling prevails between them and the neighbouring villagers, who, confounding the company's servants with the 'rail,' look on it as a nuisance. The police have no *preventive* authority, and, as Colonel Bruce remarks, it is only when something *has happened*, when a chair or a sleeper *has been found* lying across the rails, that they can act. As was said in England, it is only when a bishop has been killed, that something will be done. We quite agree with Colonel Bruce in the necessity of Government, in conjunction with the agents of the different railway companies, making some arrangement, by which the railway police should become part of the general system in order to bring the full *preventive* power of the department to bear upon a matter in which the public are so deeply concerned.

The thirteenth and last proposition is, that, *where practicable, the police should be drawn from the country in which they serve.* At first starting it was found that the Bengalees held back and would not enlist. Reports had been circulated by those interested in maintaining the old state of things, that, when drilled, they would be marched off for soldiers, and, in some districts, the Bhootan campaign and the number of policemen who volunteered their services for it, have been represented as the confirmation of what was predicted. Hence the difficulty of raising the required force within each district, and from the local population, has been such as to make it by no means easy to carry out the principle laid down. Up-countrymen were to be had without trouble, and once a certain number of them were enlisted, they used their best endeavours to keep out the local candidates for admission, and fill up the complement with their own friends and relations. In many districts, owing to the above causes, the principle laid down for guidance was violated. Government however has since ruled that thirty per cent. is to be the limit of foreigners admitted into the force in any district. It may be asked why should any foreigners be admitted, and why

Digitized by Google

should not the proper principle be strictly adhered to. Experience has supplied the answer. The Bengalees are very expert as detectives, more expert than up-country men; but there are certain duties they cannot be induced to perform satisfactorily. They have an invincible repugnance or fear to handle a musket. Even in self-defence they dare not fire one off. 'As guards over jails or 'treasuries,' writes Mr. Carnac, 'they are utterly useless. More-'over, whether it is that the Bengalee is constitutionally of a 'lazy inert disposition, or whether it is that he lacks the power to 'keep his eyes open for any length of time together during the 'night, certain it is, that the number of cases which occur, in 'which Bengalees are caught sleeping at their posts, leads one to 'infer that any attempt to make them useful as guards is hopeless 'and disheartening.' Mr. Carnac therefore recommended that the reserves should all be constituted of up-country men, who would be employed in those duties, for which the Bengalees had shown themselves unfitted; and he recommended that a higher percentage of foreigners should be allowed. The Lieutenant-Governor, however, adhering to the fundamental principle, negatived the proposal for any increase, considering thirty per cent. enough to meet the difficulty. The men of the old police battalions, mostly Hindustanees, strangers to the habits and language of the Bengalee peasants, at first sent to Bengalee districts, and of necessity detached to the police stations, most undoubtedly contributed to the dislike felt for the new police at the outset. In some districts hill-men, who spoke a language quite distinct from the inhabitants of the lowlands, were enlisted for the simple reason, that they were the only men to be had. These mistakes, almost unavoidable at starting, have however been promptly remedied; the local rustic population is daily supplying more recruits, and we shall soon see the police-stations almost entirely filled by constables drawn from the races about them, and the foreigners removed into the reserves at sudder stations, where they will perform the duties of guards and escorts, and other tasks, which will bring them less in contact with the native population.

Connected with the proposition now before us is the appointment of the subordinate officers of the Police. Should they be Natives or Europeans? Colonel Bruce thinks that Native inspectors are more useful, and—for police duties—more efficient than European inspectors, however good the latter are expected to be. We are inclined to agree with him, holding however, that there are some duties for which the latter are preferable. A small admixture of Europeans we would therefore recommend, though we are well aware of the difficulty of procuring men upon

Digitized by Google

whose conduct and character complete reliance can be placed. It was laid down in the original memorandum that there should be nobody between the chief European officers and their men, but Native officers well selected and well paid, and that no European constables or non-commissioned officers should ever be allowed except at sea-ports and large military stations, where they are required to deal with Europeans. We coincide in these ideas, and we know no reason, why, if moonsiffs and deputy collectors have given satisfaction, Native police officers, as well paid, should not give equal satisfaction. Under the existing supervision, the chances of detection in case of mal-feasance are about equal in both situations, or if there be any difference, the risk is greater in the police department.

Having now gone through the propositions laid down as a guide to a good police administration in India, and having seen how far the principles enunciated therein have been acted up to or otherwise; let us review the general subject; let us try if we can answer the question, 'has the new police been a success 'or a failure?' We have heard much of the hostility of the civilian magistrates to the new system. Certainly, if there is any faith to be placed in the accounts of that hostility, these civilian magistrates cannot be regarded as having any prejudice in favour of a system, that admittedly has taken from them much of their power and prestige. Let us see what is their opinion as to the new Bengal police. The commissioners of Patna, Bhaugulpore, Burdwan, and Chota Nagpore; the magistrates of Behar, Shahabad, Tirhoot, Sarun, Chumparun, Bhaugulpoor, Purneah, Nuddea, the 24-Pergunnahs, Jessore, Pubna, Maldah, Rungpore, Dinagepore, Burdwan, Beerbhoom, Midnapore, Balasore, Cuttack, Pooree, Howrah, Hooghly, Backergunge, and Furreedpore; the deputy commissioners of Hazareebaugh, Singbhoom, and Maunbhoom pronounce favourable opinions. The commissioner of Chittagong, and the magistrates of Rajshaye, Bancoorah, and Tipperah pronounce unfavourable opinions, and the other officers in Bengal give no opinions, or are indifferent. We have therefore thirty-one votes *for*, and four *against*. the new system. Those officers, who have seen the new police longest at work, speak most favourably, and those officers, who give an unfavourable opinion, have in general seen the new system tried for only a very short time. Bancoorah is indeed an exception, but at Bancoorah an exceptional state of things prevailed. The magistrate and the head of the police did not agree, and this disagreement most naturally affected the working of the new system, just as the success has been most complete, where the greatest harmony has prevailed

Digitized by Google

between the magistrate and the district superintendent. In the Chittagong division, a similar state of things prevailed at Noakholly; and in the Tipperah district, too, many hill-men were enlisted, who were strange to the local population, speaking another language and differing in habits. Moreover the system had not been sufficiently long at work to enable the old leaven to be eradicated, and new principles inculcated. This accounts for the opinion from that quarter.

The quantity of stolen property recovered by the exertions of the new police is already much greater than that recovered under the old state of things. In Behar the grand trunk road has been rendered safe enough for the former usual guards of mounted sowars to be dispensed with. In Shahabad an almost total cessation of cattle-lifting, (a crime that has been so long prevalent,) has taken place since the introduction of the new constabulary. In Hooghly and Midnapore dacoities have decreased. It is admitted, almost every where, that defendants and witnesses do not evade the process of the criminal courts as they did formerly, when the arrest of any one who could pay the police for forbearance, was never effected unless under tremendous pressure from head-quarters, and even then, if the party were at all respectable, the return to a warrant was generally, that the person had gone in of his own accord to appear before the magistrate. A man could evade the process of the courts for a considerable time, and even when stringent orders were issued for his arrest, he could come in without suffering the indignity of being arrested, or paying any penalty for his contumaciousness. Too often he was able to bring his enemy to settle matters by fair means or foul, before matters had gone so far that the darogah would have to send him in. Landholders, mahajuns, and others have become more chary of transgressing the law, and this feeling on their part will increase, when they know that a visit to the criminal court in person will most assuredly ensue, and that no evasion will be possible.

Looking to the above opinions, and to the results already achieved, we may fairly pronounce the new police a success as far as it has gone: and, looking at all the difficulties that had to be encountered at first starting, we think that Mr. Carnac has stated results very modestly and correctly when he wrote:—

'I do not expect to show that we have made any very rapid 'advances; but I do hope to prove, that we have done as much 'as reasonably could have been expected: that the advance 'already made gives promise of future improvement; and that, 'the system being founded on sound principles, must, in the end 'work the most beneficial results.'

Digitized by Google

Having treated the general subject, we shall now, before closing this article, refer to some special points connected therewith. The introduction of the new system has shown that the former returns of crime were utterly valueless as statistics, being differently prepared in almost every district, and not unfrequently in different parts of the same district. The advantages to be derived from a uniform method of returns, so as to enable the results obtained in one district to be compared with those in another, must be held to be very great. Formerly the police of any one zillah was a separate body, and worked separately from the police of neighbouring zillahs. The most active and able magistrate could only bring his own experience to improve or regulate the police of his own district. Whereas now, so to speak, the experience acquired in all the districts of Bengal may be brought to bear upon each. A department has been created, which can take in at once glance the deficiencies or advantages of all places within its jurisdiction, and remedy the deficiencies or employ those advantages, as the experience of certain districts may show to be most advisable. We have already had an example in the state of the municipal police in the cities of Patna, Gya, Moorshedabad, Cuttack, and Dacca, and the proportionate inequality of the force maintained, and the funds contributed, by these five rich and populous places. Under the old state of things, the only remedy, or probable means of attaining uniformity, would have been the possibility of one magistrate being appointed to these five cities in succession, but as that never happened, things went on according to the five wills of the five different magistrates, who first organized these municipalities. Under the new system, the inequality and want of uniformity very soon came to light, and the necessary remedy has been proposed, and will be soon applied. In England, by the Statute of 1839, one policeman was estimated for every thousand inhabitants. This, it was thought, would allow one policeman to every four square miles of area. This estimate was made for the county constabulary, and was at first proposed to be followed in India. It has however been widely varied from in practice. In Behar there is one policeman to 3,39 · inhabitants and to 7·7 square miles; in Bograh one to 363 inhabitants and three square miles; in Pubna one to 611 inhabitantsand 4·4 square miles. In Hazareebaugh there is one policeman to 1,186 inhabitants and 21·0 square miles. With the exception of Patna, Hooghly, Howrah, Bograh, Maldah, Moorshedabad, the 24-Pergunnahs, and Balasore, the area, for which one policeman is appointed, at present, is more than four miles. This is what might have been expected. Bograh and several other districts

Digitized by Google

are given in the Parliamentary returns with very different areas and populations from those which the Police returns contain. We fear that the proportion of police to area and population has not yet been ascertained with sufficient accuracy to enable any statistical value to attach to the figures given. We hope to see these calculations made with care by the time the progress of the new system has been sufficient to allow comparative calculations to be made with the probability of useful results.

The Dacoity Commission was abolished on the introduction of the new police; but, instead, the experiment of a separate detective police was tried in certain districts about Calcutta. After a trial of nine months Mr. Carnac reports against the separate system, and recommends its amalgamation with the general force. Colonel Bruce is of the same opinion. He proposes, instead of the plan at present in existence of having a special inspector and ten constables in each district, who were but partially subject to the orders of the local district superintendent,—to place one Native inspector and four selected men at the disposal of each deputy inspector-general, who could employ them in any district within his circle in which heinous organized crimes of any particular kind might become rife. Disapproving as we do of the present system, and for the very ground stated by Colonel Bruce, that it creates an *imperium in imperio;* that a district superintendent must regard with dissatisfaction 'a detective machinery, the strings of which are 'pulled by a far off and mysterious agency,' we do not see how the present proposal would mend the matter, even if, as proposed, this inspector and his men would act as a part and parcel of the district police force, so long as they were within district limits. It cannot be meant that the district superintendent, within whose district they were employed for the time being, should have the power of dismissing or suspending them, yet without this power, they would be only nominally a part of the district force. They would look not to the district superintendent, but to the deputy inspector general. Again, the having any one inspector and any four men selected for such work is open to the objection that these policemen would soon be known, and their appearance at any place would be a signal for those against whom their efforts were directed to be on their guard or to decamp. We recommend instead of the plan propounded by Colonel Bruce, that no set of men be selected for such work, but that when occasion requires, the deputy inspector-general be empowered to select out of his own circle those whose character and experience have shown them to be fitted for the special task. Their appointment could be kept for a

Digitized by Google

time quite secret, and they would be thus unknown to those against whom they would be employed.

Nearly the same reasons that render desirable the amalgamation of the detective department with the general force apply to the river police. Colonel Bruce and Mr. Carnac were both agreed, and the water police has now ceased to exist as a separate body. The police on land and those on the river being now subject to one head, *viz.* the local district superintendent, they must co-operate with each other, instead of acting separately and thwarting one another, as formerly. When Colonel Bruce's arrangements for guarding and patrolling the passages of the Soonderbunds have been carried into complete working order, we shall be surprised if river dacoity be not entirely stopped.

The salt preventive police were amalgamated with the general constabulary by orders of Government, dated 16th July 1863. The reader is referred to an excellent description in the report on the Calcutta police of the long and tedious details (much too long to notice here) of the system under which salt is at present imported into Calcutta. While reading them, we could only wonder with Colonel Bruce that the salt trade has not altogether collapsed long ago. We earnestly recommend to the consideration of Government the details of the simple plan proposed to be substituted for the cumbrous method now in force, which seems as if it had been invented by the employees of the salt department for their own especial benefit. These remarks apply to the police who keep observation over the salt ships in the port of Calcutta. The transfer of the old force to the new constabulary seems to have been carried out in the salt manufacturing districts without much trouble.

We cannot too strongly express our assent to Mr. Carnac's remarks about the police being kept to police duties alone, and not being sent 'to do every kind of work that it is irksome for 'other parties to perform for themselves.' Acting as post office clerks and peons; distributing schoolmaster's pay; measuring land nullahs and rivers; reporting upon disputed boundaries; superintending the clearing of jungle; filling-up tanks, and other tasks of this kind, are not police-work, and, when performed by policemen, are always sure to lead to petty acts of tyranny, which tend to make the constabulary unpopular; while they also prove fatal to discipline, being out of the usual line of duty, and not subjected to commensurate superveillance.

The state of the police stations and the lock-ups should command attention at an early period. A bamboo cage may be a very ingenious mode of confining suspected criminals; but we

Digitized by Google

would consider it more suited to the early stages of the development of the human race, when man more closely resembled his gambolling facsimile of the woods, than now. The importance of erecting proper buildings for police stations bears considerably upon the discipline of the new body. It is most important that they should not be allowed to live at homes of their own in the bazaars, but be compelled to reside together at the police station.

When the new constabulary was first introduced, a large number of assistant superintendents were appointed. Colonel Bruce thinks that the way it was intended that this grade of officer should supplement the district superintendents has been quite misunderstood in Bengal. He would appoint assistant superintendents only to large districts, where the duties devolving upon the district superintendents are so heavy as to demand the services of another officer. He has therefore recommended a large reduction of the number of assistant superintendents, which recommendation Government has only adopted to a certain extent. It must be remembered that this is the class from which future district superintendents will be appointed, and, if this class be so reduced in number as not to allow its members to have good average experience before being appointed to the post of district superintendent, we shall place the police in inexperienced hands, and can never be free from the risks arising from incompetence. We believe that an assistant superintendent is not required in every district. In some large districts, such districts, for instance, as have always had a joint magistrate, and in some heavy sub-divisions, it is very desirable that an assistant superintendent should be retained. We by no means agree with Colonel Bruce's remarks about the pay of these officers and its insufficiency. Many European deputy magistrates live on 200 Rs. per mensem, and a young unmarried gentleman may live very comfortably in the Mofussil on 300 Rs. per month, and may save into the bargain. The expensive uniform, which was first ordered, contributed in no slight degree to make the salaries first allowed seem insufficient. Instead of appointing any assistant superintendents at 350 Rs. per mensem, we would strongly advocate the appointments being made at 250 or 300 rupees, and the increase being given, regardless of seniority, on the required standards of examination being passed.

Time and space forbid us to remark at length upon the subject of the Calcutta police. We can only say that the scheme for reducing the numbers, and, from the results of the reduction, improving the salaries, meets our approval. Respectable Europeans

Digitized by Google

or Natives cannot now be had for the salaries formerly given. The salaries, owing to the rise in prices, do not represent a similar remuneration to what they represented a few years ago. Other recommendations made have been already carried out, and we can only record our opinion that the suburban police and those of the city of Calcutta ought to form no exception, but should be amalgamated with the general system. There may be sound reasons for postponing such a change to some future period, but we think that it should come to this at last. We believe that the Calcutta police will be better managed as part of the general system, than if left to the guidance of a municipality, whose members are changing every week, and of whom the majority have their time too much taken up with the employments which attracted them to the East.

In conclusion, we believe that magistrates of districts should not indulge a busy meddling spirit in their supervision of the police of their districts, but should exercise a generous control, interfering in details, only when the manifest mistakes or inexperience of their police assistants makes such interference advisable and necessary. We think that district superintendents, now that they have been relieved of a mass of office work consequent on the arrangements for first starting, should investigate the most important cases themselves, in person, and especially cases of organized crime: and, if possible, that they should attend in the magistrate's courts to see these and other heavy cases tried. Nothing will show them better or more clearly how their subordinates have worked than to see the cases tried. One of the best superintendents in Bengal assured us, that he was at first very unwilling to go to the magistrate's court, but that, having overcome his repugnance, he found that he benefited more by what he saw there, than by reading all the circulars put together. A district superintendent who sits at home and takes his court inspector's version of the trial, will be sure to believe his police immaculate, and the magisterial authorities biassed. To make it more easy for the district superintendent to attend the trial of his cases, we recommend that it be made incumbent on him to have his office in the same building as the magistrate's court. We believe that another year will show great improvement, but we believe that this improvement will be greater, and the districts now behind hand will come up to the proper standard, if the simple points we have referred to command the attention we claim for them.

Digitized by Google

ART. III.—*The Empire. A Series of Letters by Goldwin Smith.* 1863. *Letter XVIII.* India.

THE following words are put into the mouth of an Eastern Vizier, who is expostulating with his sovereign for abandoning the control of his dominions, and betaking himself in disgust to a hermit's life:—'This empire, which was acquired 'with so great toil and trouble by your ancestors and yourself, 'will pass in an instant from your hands, and the country will 'become waste through your carelessness. God grant that your 'good name suffer not by this. Your conduct will be severely 'scrutinized on the day of judgment. You will be told that 'God made you king, and entrusted his people to your care, 'and you will be asked why you despaired of his mercy and 'threw the people into perplexity and distress. What answer 'will you then give?' The words are not inapplicable at the present time, when a professor, who from his high position must be considered to speak with authority, has published to the world his conviction, that India, in common with all the other colonies and dependencies of England, is a thorn in the side of the mother country, and a bar to her real greatness, and that the sooner we can get rid of these troublesome appendages the better. We do not intend in this article to enter into the broad question of ceding our colonial possessions. Much may be said on both sides. Yet few will deny that, sooner or later, a time will come in the history of every colony, when it will be necessary for the mother and child to separate, and all will wish that the parting, when it comes, should be in love and not in anger. It cannot therefore be wrong to look forward to the critical period and to watch for the signs of its approach. But the case of our Indian possessions is entirely different. India is a dependency, and as such must be judged by rules applicable to herself alone. She is ours by right of conquest; and the morality of that conquest, when compared with the conduct of other European nations in the last century, may pass unquestioned. The policy of every nation at that time was to acquire as much as she could for herself. In the matter of territorial aggrandisement England was not a whit more criminal than Austria, France, or Russia. France was for years our most troublesome rival on Indian soil; and when she failed, it was the flesh, not the spirit, which was weak.

Digitized by Google

The chapter on India, which now appears as one of the series of letters lately published by Mr. Goldwin Smith in a collected form, was not like the others originally inserted in the 'Daily 'News.' It was added by the author in order that he might complete his views on the Empire, meaning by the word 'Em-'pire' all the dominions, dependencies, and outlying possessions, wheresoever situated, which the nation holds beyond the limits of its own shores. The fact of the after-publication of this letter leads one to infer, that the author was not satisfied in his own mind, that the arguments which he had previously used in relation to the general question of colonial emancipation were equally applicable to India. A separate vein of thought was conceived and developed. Whatever the difference of opinion that may exist on the matter, there can be no doubt as to the earnestness of Mr. Goldwin Smith, and his thorough belief in the truth of the doctrine which he advocates. And in this matter of being credited with earnestness of purpose, we think that Mr. Goldwin Smith has met with scant courtesy at the hands of some of his opponents. He has been told that the consideration of such a subject as he has undertaken belongs to statesmen and not to professors. He replies well by* saying, that 'organic change requires preparation and foresight; and 'the far-reaching wisdom which looks to the fruit of distant 'years can hardly be expected from the Minister of an hour. 'The nation may trust, if ever a nation could trust, its public 'servants for the able and upright management of its current 'business; but it must think for itself.' It is not a little in the present day to be able to say that no ambition for place or desire of reputation prompted Mr. Goldwin Smith. He was convinced in his own mind, and he wished to convince others, not by intentional distortion of facts, but by clear and candid argument. Unfettered in his views by the traditional policy of a party; with a powerful influence for good or for evil, due to the chair which he occupies in one of our great Universities, and on that very account feeling it his bounden duty to stem if possible the tide of popular prejudice, and to induce the nation at large† 'to exercise in a grave and urgent 'matter that deliberation and forecast which a part of the 'governing body seems almost to have abjured'; dealing with his subject, not as a statesman, but as a *thinker*, (we do not, like the 'Times,' use the term in a spirit of sarcasm and scorn, but as a befitting epithet for a man whose thoughts are fixed on the

* p. 19.
† p. 20.

Digitized by Google

future, and who asserts resolutely the settled conviction of his mind). Mr. Goldwin Smith deserves to be met with deference. We may differ, yet respect. A contemptuous tone will not strengthen our hand. On the contrary it gives an adversary good grounds for inferring our weakness. Mr. Goldwin Smith has had no slight advantage over his opponents, in that he has maintained throughout the discussion which his letters originated, a calm and dignified tone. With these few remarks, we at once proceed to deal with the question before us.

Whenever the interests of two countries are intimately mixed up, whatever is good for the one is good for the other. We must always bear this fact in mind whilst discussing the utility of retaining our Indian possessions. Mr. Goldwin Smith urges that the question is one of the future rather than the past. We quite agree with him, and, in our treatment of the subject, we are content to consider simply those benefits which are likely to accrue to both countries if England still continues to retain her hold on India. We only make one reservation; and that is, to touch slightly on the events of the last few years in order to augur with a better chance of success for the future. It would have been well if Mr. Goldwin Smith had limited himself as he proposed. But, unhappily, no sooner has he laid down his plan of operation, than we find him at once diverging into a consideration of our present policy in China; of the profitableness of the East India Company's monopoly, and the probability of the Indian trade being a consequence of our rule in this country, —questions as beside the mark, as if the political economist, before commencing to treat of his science, were to investigate all the physical circumstances which affect the production and distribution of wealth. On returning to his original proposition, Mr. Goldwin Smith first treats of our economic relations with India. The sum of his remarks on this head is, that India is essentially a poor country, and that independently of the practical monopoly which is ours by virtue of our energy and perseverance, but which we might equally retain if we abandoned the Empire, we derive no other commercial benefit from our trade, than the market which the English residents themselves afford for the productions of the mother country. 'So* far as 'the investment of capital is concerned, our dominion gives no 'special advantage to its possessors.' In the commencement of his letter Mr. Goldwin Smith admits that anarchy would be the result if we abandoned India. Where anarchy occurs, insecurity of property, and, consequently, stagnation in commerce

* p. 270.

Digitized by Google

and agriculture, ensue. Yet, despite this natural consequence, our practical monopoly is to remain unaffected! Our relations with India, and our chance of commercial success, are to be as good during a period of confusion as they are now, whilst our presence ensures peace and tranquillity. We might, as we certainly should, hold our own against other nations, and hinder strangers from usurping a commerce which so long has been ours. But of what use would this be, when practically the commerce had ceased to exist? In truth, it is English capital and English perseverance which have opened out the commerce of this country to its present extent. It is the combination of these two elements which maintains the commerce, and is improving the resources, of India. Doubtless many natives are embarking in trade as largely and briskly as ourselves. But it was our example which first called forth their energy; and it is the security, which our Government affords, that encourages them to continue and enlarge their operations. With increased means of carriage both by sea and land; with improved methods of cultivation; with a demand for articles, scarcely, if ever, heard of three hundred years ago, the trade of the last ten years cannot for a moment be compared with the trade of the middle ages. The camels, that trailed slowly and tediously across the mountain ranges which separate Asia from Europe, were laden with precious stones, costly shawls, and the rarest of spices. Nothing which was not of the most compact and valuable description was worth the risk or cost of carriage. Rice, cotton, indigo, linseed, grain, and the like, are the most common items in the invoices of the ships that now clear out of Calcutta and other Indian ports. The old trade was devoted exclusively to the luxuries—the new embraces many of the necessaries, of life. The one was for purposes of unproductive consumption—the other tends to increase the general wealth of the world. Nor do the commodities which we receive in return bring so little profit with them as we are asked to believe. The iron alone, employed in the construction of our bridges and railways, is an enormous item in our favour. Would the natives of India, unmoved by the example of English energy and genius, have employed English capital and English artizans? Would English capital and English labourers have been attracted to the country by the guarantee of native good faith, and by the security of a native government? The inhabitants of Egypt do not owe the improvements lately effected in their country to national energy, but to the intelligence of a few of their chief men, whose views have been influenced by intercourse with civilized and enlightened nations. The fact also that Egypt was to be made the highroad to India tended probably, in no small degree,

Digitized by Google

to the improvements which have taken place. Mr. Goldwin Smith in citing the case of Egypt brings forward in fact an argument in our favour. It is one amongst many other instances, that the generality of Eastern communities cannot, without the example of Western nations before their eyes, appreciate, or if they appreciate, cannot, unaided, command the capital and talent needful to carry out works of great public utility. The encouragement given in former days to the Italian architects, the European officers and others whom Mr. Goldwin Smith speaks of, is as a drop in the ocean, compared to the impulse displayed in the history of this country during the last few years. Mr. Goldwin Smith, like many other Englishmen who have undertaken to write of India, fails most when he treats of details of which he has no personal experience. He has received in all good faith the information given him, but the information has often been faulty. 'If * I am rightly informed, but a small 'amount of native money has been invested in our Indian stock 'and railways.' 'In † considering what India can afford to 'pay for its Government, we must bear in mind that it is on 'the average a poor country. The dazzling character of some 'of its productions, and the concentration of these productions 'in the palaces of despots, begot in former times a fabulous 'notion of its wealth, which has even now not entirely died 'away.' 'Will the Hindoo or a Mahometan gentleman ever 'take a petty office under an alien Government?' These are passages picked almost at random from the letter before us, and they more than ever convince us how little the details of Indian life are known or understood at home. We could tell Mr. Goldwin Smith of one native banker alone, who to our knowledge has half a million sterling invested in Government stocks. We could point out to him, amongst the body of our native officials, men who can trace back their descent through centuries. Yet he has made these assertions, believing most thoroughly, we are convinced, in the truth of what he says. In some cases he has been misled in his sources of information; in others his own individual judgment is at fault. But the reason of the false conclusion is much the same in either case. He thinks, unconsciously perhaps, that earnestness of purpose, and a desire to carry conviction by fair and truthful arguments candidly put forward, will make up for want of personal experience, if only discrimination is used in selecting the information. But we venture to assert that no care in weighing statements and

* p. 280.
† p. 278.

Digitized by Google

documents can supply the place of that personal experience which Mr. Goldwin Smith would have gained by a couple of years' sojourn in this country. The very details of official and commercial life, which from their every day occurrence are likely to be overlooked by those who give or write information for English audience and English readers, would at once attract his notice when on the spot. Personal observation is worth years of study at a distance, when the end to be attained is a just appreciation of the wants and capabilities of a foreign country. It is a common error which most of us fall into, to take for granted that absent persons have as intimate a knowledge of details as that which we ourselves have only acquired by personal experience. The error often creeps into our private correspondence, and the new comer in India frequently renders his home letters less interesting than they otherwise would be, by failing to explain strange words and customs which he introduces into his descriptions, and which, from their frequent occurrence, he has forgotten were once as unintelligible to him as they are to those for whose amusement he writes. Life is made up of trifles, but these trifles differ with country and with race, and not to understand the trifles is not to understand life. So true is it that no one can to the best of his ability take a broad view of the inner life or of the policy of any country till he has taken the trouble to go and judge for himself. Our English brethren judge us and India as inaccurately in these matters as we should them, if we were to take up any English or European question from a purely Indian point of view. Of the two we should be acting the less unfairly, for we should have as a guide to our judgment the recollection of former experience when in England, which they who have never been in India could not plead in defence of their opinions. An Englishman, judging abstractedly the question of the contract law, no doubt thinks that Sir Charles Wood's veto was not only justifiable, but necessary. He probably goes a step further, and considers that no one but those who have passed their lives in ruling over an oppressed and subject race, would have dreamt for a moment of recommending, that breach of contract should be made a criminal offence. A man entertaining such thoughts, (and the supposition is not chimerical) is as one-sided in his views as Mr. Mill was, when he attributed all the miseries of Ireland to the cottier tenure. He has not taken into consideration other counteracting influences, but has been content to judge the question simply by his English experience. He forgets, that, in England, a contract is not generally liquidated by payment, till the stipulated work is completed. In India little remains to be

Digitized by Google

received when the work is over. Payments, more particularly with relation to agricultural produce, are regulated here by a custom very different from that which prevails amongst European nations. The English farmer does not expect to realize the value of his crop till he takes his grain to market. The ryot or Indian artizan, on the contrary, invariably asks for and gets an advance. The Indigo Planter in the North-Western Provinces, frequently a year before the terms of the contract are to begin, gives to the cultivators a sum varying from four to six rupees per beegah merely for the loan of the land for a year. He does this to ensure enough land for cultivation. But even after the contract has been made, he runs the risk (not an unfrequent one) of having had another man's lands given him, or of having had inferior lands assigned to him, or worse than all, on going to sow at the appointed time, he finds that the cultivator has been before him, and has already got a crop in the ground. What means can there be under such circumstances to compel the cultivator to abide by the terms of his agreement, but the fear of a criminal prosecution? The Civil Court with its suit for damages is utterly powerless to cope with the evil. This fact was admitted some years ago, so far as the * Presidency towns were concerned, and the Legislature interfered — but for some inconceivable reason the application of the Act, which was passed to remedy the evil, has hitherto been local, and not universal. The decree in the Civil Court may be gained, but the person cast has long before disposed of his effects, and left himself with no possessions, apparently, in the world, beyond a lotah, a pagree, and a dhotee. He has spent his advances, and can afford to laugh at his opponent, and chuckle, like a mild Hindoo as he is, that he has been cunning enough to do the Sahib, and defeat the orders of the Court.

The remark of Mr. Goldwin Smith that † 'India is on the 'average a poor country,' is a misconception so strange that we know not how to account for it. We are not writing a statistical article, and we shall therefore limit ourselves to as small an ar-

* The Preamble of Act XIII. of 1859 runs thus; Whereas much loss 'and inconvenience are sustained by manufacturers, tradesmen, and others 'in the several Presidency towns of Calcutta, Madras, and Bombay, and 'in other places, from fraudulent breach of contract on the part of artificers, 'workmen, and labourers who have received money in advance on 'account of work which they have contracted to perform, and whereas 'the remedy by suit in the Civil Courts for the recovery of damages is 'wholly insufficient, and it is just and proper that persons guilty of such 'fraudulent breach of contract should be subject to punishment; It is 'enacted as follows &c.'

† p. 278.

Digitized by Google

ray of figures as we can, consistently with the refutation of the remark above quoted. 'In the three years of 1841—1843,' says a writer in a late number of the *Examiner*, 'the value of 'all the exports of British India was but £13,610,824. Ten 'years later the average of three consecutive years raised them 'to £19,502,645, and on the average of the three years ending 'with 1862-63 they had reached £38,750,824, an increase of 'better than twenty-five millions in twenty years' time.' Sir Charles Trevelyan, in his late Minute on the introduction of the Gold Currency, states, that the exports from India for the year 1863-64 amounted in value to £67,459,795! It is true that this enormous stride in the value of the exports is partly accounted for by the enhanced price of cotton. In 1862-63, 4,223,024 hundred-weight of cotton, valued at £18,783,543, were exported. The quantity exported in 1863-64, *viz.* 4,839,003 hundred-weight was not very materially greater, but its value is quoted as £35,463,911. This enhanced price is of course due to exceptional causes; and if the blockade of the Southern ports of America were to be raised, and cotton again grown and exported, the value of the Indian exports, taken altogether, would probably fall. Still, independently of the influence which the price of cotton has exercised, the difference between the value of the Indian exports, as taken on an average of three years for 1862-63, and the value of the exports given officially by Sir Charles Trevelyan for 1863-64 is extraordinary, and tells well for the productive power of the country. Again, let us look at the question from another point of view. During the three years which preceded the mutiny, the average revenue of the country was thirty-two millions sterling. The estimated revenue for the year 1863-64 was £45,306,200; and Sir Charles Wood was able to announce in the House of Commons last autumn, that the accounts for the financial year of 1863-64 showed a surplus of £257,000, although nine millions of national debt had been paid off during the year. Be it remembered that this increase in the Revenue has not been obtained by increased taxation. If we were to sift the matter to the bottom, we should find that it has arisen simply from the increased amount and value of the articles of commerce produced in this country, and the corresponding demand for articles of home supply. Of the two war taxes imposed to meet the national debt, which amounted after the mutiny to about £110,000,000, one—the increase in the custom taxes-expired nearly two years ago; the second—the income tax, primarily reduced, will, in accordance with the promises made at the time of its imposition, cease after next July. The taxation is not

Digitized by Google

so severe now as it was fifteen or twenty years ago, when there was an unmistakable and acknowledged deficit. Yet the amount of the revenue is half as much again, and the commercial and agricultural prospects of the country were never so bright as they are at present. Railway Companies, Dock Companies, Carrying Companies, Tea Companies, Land Mortgage Companies, Companies of every description and with every sort of object, are springing up daily through the length and breadth of the land, testifying by their very institution to the confidence which the nation feels in the good faith of our Government and the stability of itsdominion. Nor must it be forgotten that in the expenditure for which this taxation is raised are included large items not recognized by the Governments of Western nations. The sums of nearly a million and a half devoted to the payment of the guaranteed interest on railways, of five millions expended on public works,—and upwards of half a million on science and education, are purely optional, and might be suspended at any time that the Government thought such a course advisable. In reality, the expenditure is a most wise one, provided that the taxation required to meet it does not press too heavily on the resources of the country. The whole outlay is reproductive in its nature, and will be returned to Government either by direct payments, or by enhancing the value of land not permanently settled for. To show the prosperous condition of the country, let us suppose, for the sake of example, that this unusual expenditure was no longer sanctioned, and that the gross amount of the Budget was curtailed by about £7,000,000. The amount of the taxation to be raised would then be about £38,000,000, that is to say, about ten millions more than was raised when the exports of the country were about one-third of what they are now. In a few words:—on comparison of the condition of the country as it now is, and as it was some fifteen years ago, taxation has been diminished in proportion to the increase of the resources from which it has been met. The country too has resources which might be safely reckoned upon in times of financial distress. The cash balances,—the treasure stored in exchange for Government notes,—and the proceeds arising from the sale of waste lands and the redemption of the land tax, are all funds upon which the Government might draw, if unwonted expenditure were necessary. Therefore, whether we calculate the prosperity of the country by the increasing amount and value of its exports; whether, by its power to meet increased taxation, and yet to feel that that taxation is less in proportion to the country's capability of paying than was the taxation of

Digitized by Google

fifteen years ago; whether by the most certain of all tests in the mind of the Political Economist, namely, the increase in wages and the rise in the price of the common articles of food; from whatever point of view we look, we cannot but feel assured that the improvement is steady and progressive, that every year is adding to the material wealth of the country, and that that wealth is not, as of old, estimated by the 'dazzling cha-'racter of some of its productions, and the concentration of these 'productions in the palaces of despots,' but by commodities which are essentially reproductive in their nature. Surely we have stated enough to show, that, with ordinary care and intelligence on the part of those who manage the finances, the Government of India can afford, if any Government ever could, to pay well for the services of those whom it employs. The salaries of all officials in this country are good. They necessarily must be so in order to induce men of sufficient calibre to undergo the sacrifices which a life in India entails. Still, allowing for this important element, we think that there are few men who can with justice say that their pay is not in proportion to the work required of them, and to the ability which they display in performing that work. That the scale of pay will be ever reduced, as Mr. Goldwin Smith implies, we very much question. The result of the Civil Service Examinations in late years gives us a very convincing reason why retrenchment of salaries should not be entertained, in the fact, that every list of successful candidates shows a certain proportion of men, whom, either for social or intellectual reasons, Government would be glad to dispense with. Competition however opens the door to all alike, and Government must needs rest satisfied with its bargain. The statement that India is on the average a poor country, although mentioned by Mr. Goldwin Smith only in connexion with the capability of the country to pay for its Government, ought to meet with a much broader refutation. Not only is India not poor, not only is she able to increase, if it were thought necessary, the present salaries of those who govern and hold her, but she is, as we have shown, able to spend large sums on works and interests, which do not ordinarily fall under the head of Imperial expenditure. Is there not in this productive expenditure on education, railways, and other public works, that generous sacrifice of the present to the future the absence of which Mr. Goldwin Smith deplores so in the* case of Turkey? Would this self-sacri-

*'As to the Turkish empire... .....it is incapable of national 'regeneration—for it is not, never has been, and never will be a nation. No 'national hope, no national memory, nothing which can inspire that self-'devotion to public objects, and that generous sacrifice of the present to the

Digitized by Google

fice have been attained, but for the interposition of England? The history of the world can present no brighter instance of a nation, so lately burdened by a steadily increasing debt, which can now show a clear balance sheet containing items of extraordinary expenditure, and yet can boast that the taxation is less in proportion to the resources of the country than it ever was before.

We have seen what India can do for herself. We have still to ascertain what she can do to help the mother country. It is no small matter that the official and non-official element in India is mainly recruited from the youth of the middle class of England, who find out here a greater scope for their talent and energy, and at once meet with better salaries aud occupy a better position that they could have dared to hope for at the same age at home. Connected with this is the broader and more difficult question, which is weighing heavily on the minds of thoughtful people at home, namely, how are the wants of the surplus population to be met most effectually? There are two great remedies for the evil—emigration,—and the importation of cheap food from abroad. Emigration, or settlement, more strictly speaking, has only during the last few years been much thought of with reference to India. To a certain, but not to a very large, degree, it will succeed. Whether rightly or wrongly it is hard to say, Englishmen have become thoroughly impregnated with the notion that India is not a land for permanent residence. All of us, missionaries perhaps excepted, look forward to spending our old age in some familiar spot at home. This notion has arisen from the fact that we have always treated India as a dependency, and not as a colony. The official element in this country has, till late years, been numerically the strongest. The civilian and the military man came, not to settle, but to govern; and, just as Governors sent from the mother country to other dependencies and to colonies, those who constituted the ruling body here looked forward to their retirement in England. Hence it was natural that the sympathies of such men should be with the mother country; that their children should be sent home for education, and that the parents themselves should look forward to joining their children at home rather than to sending for them back again, and living and dying amongst them in India. Hitherto, except in the Presidency Towns, the non-official element has been very small, and has consisted merely of Indigo Planters and Merchants, whose object

---

'future by which alone nations are redeemed, has ever entered into the 'Turkish breast.'

The Empire, pp. 234, 235.

Digitized by Google

was to make money as fast as they could in order to return home and enjoy the fruits of their labours. The influence of these men, wrongly denominated 'interlopers,' was as nothing when weighed in the balance with the authority of civil and military officers. A new era is now inaugurated. The success of the planters in Assam, the Dhoon, and on the slopes of the Himalayas and the Nilgheries, and the certainty of high pay on the Railway to skilled artizans of respectable character, are likely to attract adventurers to India. Owing to reasons of climate we doubt very much if settling will ever be achieved on the plains, but the mountain slopes and high table land of India afford a fairly healthy climate, and an abundance of profitable work, if only the desire to settle exists. Means of providing for education, and ensuring social intercourse, will follow as a necessary consequence.

But even allowing that India will never attract such a number of settlers as sensibly to affect the surplus population of England, she may, by her productions, prove of real use in satisfying the extra mouths which are craving for food at home. There seems no reason to doubt that, when the Punjab is thoroughly opened out,—that is to say, when by the combination of steamers and railways there is a clear passage from the fertile corn-growing plains to the sea board of Bombay or Kurrachee—a cheap and constant supply of grain may be furnished. With wars and rumours of wars on every side of us, we shall then be independent of the foreign nations of Europe for our staple article of food. Firm in the conviction that our Indian Empire is able and ready to supply our wants, and that our own maritime power can keep open the path by which the supply shall be transmitted, we can afford to laugh at any fears of scarcity or famine. In truth, assisted by the more fertile soil and more favourable climate of many of its colonies, England is rapidly making herself independent of foreign nations for her supplies. Australia bids fair to rival Bordeaux and the wine-growing provinces of the Rhine in the excellence of her light wines. India will probably in a few years usurp the supply of South American bark, as surely as she will now, if she he only lel alone, usurp the supply of tea from the Chinese market. It has been demonstrated beyond a doubt that India is as capable of producing as good cotton as the Southern States. The merchants of Manchester have only to promise the cultivators that they will rely upon them for their future wants, and they will at once obtain a supply as good as any that ever came out of New Orleans. The crop is a profitable one, and fair play towards the ryot will at once induce him to substitute this for other crops. But hitherto, the Manchester men, selfishly alive to

Digitized by Google

the possibility of the American war coming to an end, have never either by their words or actions given any guarantee in the matter. On the contrary, when their supplies first began to fail, they made the most extraordinary proposition to the Government that ever was heard of. They calmly suggested that as an inducement to the ryots, either all lands devoted to the cultivation of cotton should be exempted for some years from payment of the land-tax, or else that the Indian Government should guarantee a certain price for all the cotton which was brought to it. Such a proposition savoured more of Protection than of the doctrines of the most advanced school of free-traders. Recent accounts tell us that cotton from Egyptian and New Orleans seed has been grown in Lucknow experimentally, and in Rangoon and Moulmein to some extent. In every case the result has been highly successful. It will be remembered that Mr. Saundars, in speaking of the Doab, gave it as his opinion that the supply of cotton there is only limited by the demand, and that the quality is greatly improved by the introduction of American and Egyptian seed, for Dr. Bonavia sent some seed of the cotton cultivated in Lucknow to be sown in the Government cotton plantation at Rangoon. The samples furnished from this latter place prove that the cotton grown there is superior to that of Lucknow, from the seed of which it sprung. The samples were priced by the Cotton Committee of the Horticultural and Agricultural Society of Calcutta as worth, at the close of last year in London and Liverpool, twenty-seven pence a pound. The produce from Moulmein is said to be better than any that has yet been seen in Calcutta. It has arrived in bales to the number of fifty or sixty at a time, and has been sold as high as Rs. 54 per bazaar maund.

There still remains to be considered the value of England's export trade with India. We have not at hand the necessary books of reference relating to the last two or three years, and therefore we must content ourselves with the statistics given by Mr. Goldwin Smith in another part of his book.

"'Our exports,' he says in 1861, were*—

'To foreign countries ...	... 82,854,000
'To the East Indies, Ceylon, Singapore, 'and Hong-Kong (which are not British 'Colonies, but only dependencies) ...	... 19,656,000
'To the British Colonies in North 'America...	... 3,696,000
'To Australia	... 10,701,000
'To the West Indies	2,463,000
	16,860,000"

* p. 25.

Digitized by Google

The items relating exclusively to India have not been separately given, but we think that we shall be within the mark if we allow 14,000,000, of the 19,656,000 credited to dependencies, as the share of the exports which India consumes. Against this sum there is no set off as in the case of Canada, the cost of whose naval and military establishments is borne not by the colony, but by the mother country. India bears the whole cost of her defence. The sum of 14,000,000 therefore is pure gain to England. Some portion of the exports would doubtless have been called for, and consumed irrespectively of our rule in India. But no one can for one moment suppose that the call for exports would at all approach in value the amount credited for 1861, were it not for the sense of the security and good order which the English Government implies and insists upon in this country. Were it not for our rule, railways would have been unknown, and the consequent trade in iron would have been undeveloped; cotton cloth and muslins would have continued to be manufactured by natives only for native use, and Manchester would have been divested of half her rapidly acquired prosperity. It matters not to enter into details. Innumerable instances will easily suggest themselves to each reader's mind, not only of those great articles of commerce, such as iron and machinery, the disposal of which will be the surest memorial of England's relation with this country, but also of those numerous articles of comfort and luxury the demand for which on the part of every Englishman increases as soon as he leaves his native shore. The greater demand is a necessary consequence of his departure from England. 'Every emigrant,' says the *Times*,* 'becomes a far more productive consumer when set down on a new 'soil than when he was struggling for existence at home.' Mr. Goldwin Smith himself admits that Englishmen are chiefly induced to seek their fortunes away from home, because they cannot obtain a sufficiency of those luxuries, the possession of which they envy in the case of their richer neighbours. The sum of the individual wants of such productive consumers forms a considerable item. Call it what name one will;—say, that ambition, love of place and power are the stimulating causes:—the real influence is the love of money. *Crescit indulgens sibi dirus hydrops.* The old poet's remark are true enough, for increasing years but increase the disease. We come out here in order to live more luxuriously, and to save money, so that our later years may be spent in ease and comfort at home.

* *Times* Leading Article, February 4, 1862.

Digitized by Google

We have remarked above that the export trade of England with India in its present extent would never have been called into existence, but for our occupation. We may go further, and add that it would droop and decay were we to depart. The United States and the colonies properly so called present no parallel instance. In each and all of these countries the mass of the people speak our language, are imbued with our tastes—are of our race—and are characterized by the same energy, the same love of commerce, the same spirit of thrift and speculation, the same appreciation of invention as ourselves. Speaking of Colonial Government generally, Mr. Goldwin Smith* remarks; 'Arguments drawn from the amount of the Colonial trade 'prove nothing, unless it can be shown that the prosperity of 'the trade in some way depends on the continuance of the 'political connexion.' We accept the force of the argument, and urge that in no country more than India is the inter-dependence so marked. It is only fair to suppose that, with the increase of settlers the trade in those things which the mother country supplies best and cheapest will improve. But in a subject country, whose inhabitants are content to live as their forefathers have lived for hundreds of years before them, who are listless, apathetic, and indolent, who have not as a nation reached that pitch of civilization at which they can undergo a present self-denial in the hope of obtaining a future advantage, who are slow to appreciate inventions in machinery which tend to diminish labour or improve articles of manufacture, it requires all the determination, patience, and perseverance of an Englishman, to encounter with effect the deeply-rooted prejudices of centuries, and to induce the natives confidently to accept, and to become consumers of, those staple articles of our commerce, which result in permanent utility to the country at large. It requires a high degree of intelligence before a nation will indulge in large undertakings which promise no immediate return. Such undertakings cannot be carried out without a vast amount of capital. The expenditure of capital implies strong confidence in the stability of the Government of the country in which the improvements are projected. Many European nations have at present failed to avail themselves largely of railways; at least the absence of railways in many countries practically shows that the inhabitants are not ripe for the undertaking. Yet no one will deny that the intelligence of any given European nation is greater than that of the natives of Hindustan; or, to speak more advisedly, the degree of civilization, to which

* p. 41.

Digitized by Google

every European nation has attained, is such, that the nation can better appreciate the value of great works of public improvement than the natives of Hindustan could do, if unaided by the force of English advice and assistance. To India, at all events, the benefit which it has derived from its connexion with England is incalculable. The country has been opened out by roads, canals, and railways. The chance of famine in future years has been lessened by the greater ease and rapidity of communication which now exists between one district and another. The rights of property have been investigated and confirmed, and thereby an impetus has been given to industry and the employment of capital. The proprietor or cultivator knows that his right to hold or occupy his land has been established, and will remain undisturbed so long as he pays his due quota of revenue or rent. Each has acquired an interest in his land which he could never have experienced under a native Government. Each has now a good reason for using his labour or his savings, for he knows that a due proportion of the produce will be assured to him. The gain, socially, is that each becomes a more contended man, politically, that each is a better subject.

But, it may naturally be asked, what is the cost at which we ensure these commercial advantages in favour of England? What are the means by which we defend this vast empire, which is giving and taking with us so largely? How do we maintain our position, and whence is the cost defrayed? *Le jeu vaut il la chandelle?* Mr. Goldwin Smith says that it will require 100,000 soldiers to hold India. We are inclined to think, that, from want of personal observation, he has taken an exaggerated view of this part of his subject. Better means of transit, and the greater attention which is now being paid to the soldier's sanitary condition, will probably enable us to hold India with half the men stated by Mr. Goldwin Smith. With the memory of the aggressive policy which has hitherto characterized our rule; with an expedition to Bhootan even now dragging along its slow and expensive length, and a march to the capital looming in the future, it is difficult to say that our future policy is likely to be one of consolidation and not of extension, and to trust that what we say will be confidently accepted. Yet we do not doubt that such will be found to be the case. There are certain natural boundaries which we cannot overstep, and we are already nearly at the extremity of our tether. Again, there is no reason why the lives of those who are sent out should not be more economized than they have been hitherto. The Sanitary Commission has conclusively proved, that drink, bad ventilation, and the accumulation of filth, have been, much more than climate, the

Digitized by Google

causes of the high rate of mortality amongst European troops stationed in India. Counteract these evils, and establish in healthy and accessible spots hill stations to which all the men who can be spared from the plains may be sent during the summer months, and the mortality will decrease rapidly. The great difficulty to be encountered is undoubtedly the fear of any sudden emergency. Yet weak and unprepared as we were in 1857, the result of the mutiny was to show what was our power of resistance against troops numerically strong indeed, and in many instances well armed, but unwieldy and useless owing to absence of combination, and the want of any ruling spirit round whom they might rally. If the emergency returns we shall not be found so wanting again. We have a precedent how to guide us. We shall not again yield to a trust so blind that it closed the door to all hope of safety. We shall not again be found bending to the every prejudice of a caste whose members have proved themselves unworthy of our confidence and our standard. We have learnt who are our friends, and who the waverers in the time of need, and we have marked them accordingly. We have strengthened our military positions. We have lessened the number of native regiments. We hold all the Forts, and Europeans man almost all our guns. We have disposed our European forces more equably over the face of the country. We can concentrate these forces more readily. We required 30,000 additional troops in 1857, but then we had only about thirty-three thousand in all India, now we have nearly seventy thousand. The absence of European troops was the capital error of the mutiny. The lesson which our negligence taught us was a severe one. It will be our fault if ever disaffection be again allowed to ripen into outbreak.

Another objection raised by Mr. Goldwin Smith is that the difficulty of obtaining recruits will always prove a stumbling block in the way of retaining our colonies and dependencies. To this objection we think that he attaches too much importance, and regards the danger as more imminent than it really is. However much Political Economists may deplore the fact, we venture to say that the mass of the labouring classes of England, and still more so of Ireland, have not yet shown such a disposition to save and improve their social condition as can cause us to entertain anxiety on the score of recruiting at present. When the welcome time arrives, and the classes on whom we now depend prove themselves tardy in volunteering, we believe that science and civilization combined will be able to meet the difficulty effectually. Concentration of forces will be easy and speedy throughout the length and breadth of our

Digitized by Google

dominions. We are scarcely likely to be attacked on all quarters at once; the available reserve therefore can always be sent when danger is most imminent. The individual soldier will not be deemed efficient so much by reason of the amount of brute force or endurance which he can call into play, as in proportion to the rapidity with which he can be moved, and the precision with which he can wield or direct the arms placed in his hands. When science has rendered deadliness of aim a matter of certain calculation, fewer soldiers will be necessary, and nations, knowing each other's strength more accurately, will be slow to give provocation.

Thus far we have shown that in our opinion a smaller force than Mr. Goldwin Smith lays down will be ample to hold India, and that there appears no reason to fear that that force cannot be recruited as occasion requires, or, at all events, that an equivalent to it, in efficiency, cannot be relied on. The force being once provided, the whole cost of its maintenance falls upon India, and India, as has been shown above, is well able to bear the burden. But, argues Mr. Goldwin Smith, it is apparently, but not really, the case, that India pays for her own defence, for the Cape, the Mauritius, and the Mediterranean stations are held simply in order to command the overland route and the long sea passage, and the cost of these establishments is debited to the home budget. We have already shown, how, without additional taxation, the financial resources of the Government of India are so elastic, that not only was there a surplus of a quarter of a million in the Budget of 1863-4 after the payment of nine millions of national debt, but there were included also various sums amounting in all to about seven millions, and devoted to the furtherance of purely optional objects. A country which can easily bear this strain, and whose commerce is increasing daily, could without difficulty bear the additional cost of maintaining the Mauritius and the other stations, if it were decided, as Mr. Goldwin Smith thinks it ought to be decided, that these posts are retained merely on account of an Indian Empire.

Mr. Goldwin Smith does not say much on the subject of Missionaries in India, but what little he says is pertinent. We ourselves are fain to confess that in North India, at least, but small success has as yet been achieved in proportion to the means used. The end of the wedge has been let in, but it is not nearly driven home. *'The very simplicity which to the edu-

* Letters by a competition-wallah. Christianity in India.

Digitized by Google

'cated mind constitutes the chief grace and virtue of Protestant-
'ism renders it distasteful to the Oriental. How can we expect
'that men glutted with the coarse and grotesque pomp of the
'Brahminical worship can be attracted by the unadorned ritual
'of our Church?—The penalty attached to conversion is so awful,
'the loss of status and reputation so certain, that the majority of
'converts belong to that class which has little or no reputation
'or status to lose.—Our Missionaries will never obtain a thorough
'hold on the Hindu mind until they renounce that way of life
'which is essential to the health of the European in this climate.'
No one will deny the two first reasons given by Mr. Trevelyan, but we question the truth of the third. Few of us sufficiently consider the sacrifices which a devoted Missionary,-and who will deny that the Missionaries of India are a devoted body, incurs. His chance of success at home is usually a fair one; at least the prizes in his profession are more numerous and the labour less severe than in India. But these are points which do not influence him. A greater field of usefulness is open to him amongst the heathen, and he cheerfully accepts his lot, and consents to leave home and all its associations, in order that he may go forth and fight the battle of his Master. Little cares he whither he bends his steps. He is to be found alike in the jungles of the Terai, in the rice fields of Bengal, and in the crowded bazars of our largest cities. In the field, the flood, and the forest, he is equally at home, and his occupation is ever the same. He is not surrounded by those luxuries which most of his richer neighbours have come to look upon as almost the necessaries of life. He sees others increasing daily in rank, wealth, and importance. Himself regardless of ambition, he lives a simple and contented life, happy if he can win but a few souls to Jesus. There is a noble self-denial in a Missionary's life which cannot be too much appreciated, and if health and strength are granted to him, he continues this self-denial until death. Of all those whose lot is cast in India, the Missionary alone is content to live and die here. Yet despite the energy and self-sacrifice evinced, the sad truth still remains the same, that Missionary efforts have not been attended with that degree of success which might reasonably have been expected. It is true that Christianity is the religion of the conqueror in India. But we doubt how far this excuse is tenable when we remember that it is only a passive support which the Missionary receives from Government. In considering the obstacles to success we are at once struck by the significant fact that few men of high caste and position have as yet embraced Christianity. The Khols of Chota Nagpore—the Buddhists of Thibet, and the

Digitized by Google

Shanars of Tinnevelly have been among the most successful of the converts. But these are all men of subject race, and of little or no caste. Their original religion was of the most debased and degraded kind. The Khols worshipped a deity called Bunga, who was propitiated with broken pot-shreds and old brooms. The highest religious ceremonies of the Thibetians consisted in feeding their priests, and murmuring a few prayers as they offered the incense of juniper berries. The Shanars indulged in devil worship, and intoxicated themselves with the juice of the palm. The Missionaries themselves admit that such men are easy to win, but hard to raise; but of those who have kept steadfast to the faith, only a few individual cases, say they, evince that mental and moral stamina which enable them to become self-supporting Churches. Native congregations, as a rule, rely greatly on extraneous sources for their maintenance. They expect the Mission to bear the expense of their pastor, of repairing their Churches, of feeding their poor, and educating their children. They have done all that can be expected of them in abandoning the religion of their forefathers, and they show no inclination to contribute towards the new faith which they have espoused. 'The least cheering feature 'of our position,' says Mr. Vaughan, and his words are echoed by many of his fellow labourers,* 'is the large outlay of Mis-'sion money on so small a Mission; while the bare idea of 'contributing a single pice towards the expenses seems never 'yet to have entered the head of any one at the station.' Again, with respect to Native Christians generally, it is very sad to read such words as †these of Dr. Caldwell. 'It is very rarely the case still, that one can safely rely on the 'perfect truthfulness of any Native Christians.'

The great instances of high caste converts usually adduced by Missionaries are those of Dwij, the Maharajah Dhuleep Sing—and the Rajah of Kapoorthalah. No one can read the life of the first named without feeling great cause for thankfulness. The other two cases are not to our mind so satisfactory. The influence that Dhuleep Singh might otherwise exercise is lost by his continued absence from this country, whilst the fear of displeasing near relations has hitherto prevented the Kapoorthalah Rajah from openly professing his belief, and being baptized. We do not think that the non-conversion of the higher classes of Hindus is altogether accounted for by

* Quoted by Dr. Mullens in 'Ten Years' Missionary Labour in India,' 1863, pp. 115, 116.

† Quoted by Dr. Mullens, p. 99.

Digitized by Google

saying that they are deterred by the influence of caste feeling. We do not urge a hastily adopted opinion when we say, that we are inclined to think that many of the higher caste Hindus have been shaken in their minds, but that conviction has not been carried home. The tendency of the age is to doubt in matters spiritual, and the Church Militant at home is not free from the infection. In Bengal great activity of thought is being displayed on religious subjects. But although the present generation doubts the efficacy of their own religion, mere assertion, as evinced in the generality of bazar preaching, will not induce them to embrace a new faith. To grapple with such doubters we want men of greater calibre in mind than have heretofore come out. In making this remark we speak generally, for no one will deny that the Missionary body contains many individuals of great learning and ability. The preacher in the bazar, earnest though he is, has only by his preaching advanced one step in the right direction. He has gathered round him a crowd to whom he declares his message. The crowd disperses:—some to forget, some to scoff,—a few to ponder over what they have heard. The doubts of these few are excited, and in this state of doubt they go to the Missionary. But they will argue long and frequently before they are convinced. This is more particularly true of the * Mussulman. Here is the want that is felt. The Missionary is always zealous, eager, and devoted, but he is often intellectually unable to meet his opponent successfully on the battle field of argument. It is in this stage of the conversion that our weak point is disclosed, and the enemy gain the victory.

It is through the rising generation that conversion is being most sensibly effected. The stubbornness of men who have grown old in their prejudices cannot easily be encountered, and is only overcome in individual cases. But with the rising generation, custom rather than conviction is keeping caste on its legs. Twenty years hence we expect that caste will be found to be much less powerful than it even now is. We believe that the combined influence of Railways and Education will prove to have brought about the long-wished-for result. No one can stand upon the platform of any of our Railway stations, and watch the arrival of a passenger train, without feeling that Purdah Nishini has been dealt a heavy blow, and that the third class carriage is the great leveller of the age. Government never took a wiser step then in extending its countenance

* Mr. Lowenthal, one of the American Missionaries at Peshawur, says in his report,—'The Afghans are very disputatious; and reasoning with them 'is a work of the greatest difficulty,' quoted by Dr. Mullens, p. 77.

Digitized by Google

to a system of secular education. Probably many of the pupils who assemble in our Government schools could not have been reached in a more successful way. They acquire a large amount of useful knowledge, and that knowledge tends to loosen the hold of superstition on their minds. Thus at a period when they are too young to become thoroughly imbued with the doctrines of heathenism, a good influence is brought to bear upon them, and even if conversion to Christianity is not the result, it affects the outer life and conduct of the pupils. Their whole moral tone is raised, and they acquire a regard for truth and honesty which is certainly not hereditary in their nature. An institution like the Brahmo Samaj in Calcutta is a most hopeful sign. The minds of its disciples have been elevated by the reflection consequent on the training which they have undergone, and although they have not attained to the conception of the whole truth, the symptoms which this religious body displays are such as to induce every hope that the truth in all its integrity will ere long be accepted.

We have tried to prove that, commercially and politically, England is, and will be, the gainer by retaining India; that the exigencies of the military force necessary to ensure our dominion do not, and are not likely to, press too heavily on the mother country; that India is the gainer by the security which our Government ensures to her inhabitants, and by the energy and perseverance which have tended in so enormous a degree to open out her resources, and to increase her general wealth. In other words the result of the connection is not 'prestige' or 'apparent power,' but real and practical advantages to both countries, and increased happiness to the inhabitants of our Eastern Empire. But even were the benefits not so impartially distributed as we maintain that they are, there is still the moral consideration, whether a free and progressive country like England should not, at the risk of losing a certain amount of political and commercial importance, retain the Government of a country which manifestly has never been able to govern herself. We cannot refrain from quoting here the words of a well known modern writer. Speaking of the advantages likely to be derived from a confederation of the English colonies to the north of the United States, he makes the following remarks on colonization generally*:—

'How would England be affected by a Union of the British 'North American Colonies under one Federal Government? 'Before this question can be answered, he who prepares to an- 'swer it must consider what interest England has in her Colonies, 'and for what purpose she holds them. Does she hold them for

* A. Trollope's North America, vol. i. p. 127.

Digitized by Google

'profit, or for glory, or for power; or does she hold them in 'order that she may carry out the duty which has devolved 'upon her of extending civilization, freedom, and well-being, 'through the new uprising nations of the world? Does she 'hold them in fact for her own benefit, or does she hold them for 'theirs? I know nothing of the ethics of the Colonial Office, 'and not much perhaps of those of the House of Commons; but 'looking at what Great Britain has hitherto done in the way of 'colonization, I cannot but think that the national ambition 'looks to the welfare of the colonists, and not to home aggran-'disement. That the two may run together is most probable. 'Indeed there can be no glory to a people so great or so easily 'recognized by mankind at large as that of spreading civiliza-'tion from East to West, and from North to South. But the 'one object should be the prosperity of the colonists; and not 'profit, nor glory, nor even power to the parent country.'

These are very true words and as applicable to a dependency as to a colony, for surely if we ought thus to treat those of our own blood and race, we ought to be no less thoughtful for the interests of those who are lagging behind in the path of civiliza-tion. But these views are not reflected in the mind of Mr. Goldwin Smith. He says that the Government of strangers can never take root in the hearts of a people, and he quotes* the words of Sir. G. C. Lewis, that 'a large part of the habits of 'obedience to a Government rests upon associations with an-'cient institutions and ancient names.' When the Royal Pro-clamation of December 1852 announced that the whole of the ancient kingdom of Pegu was annexed to the British Empire, an ancient Karen was overheard to say, 'Oh how I wish I 'could see the Queen of England: how I would worship her. 'Before the English took possession we could neither breathe 'nor sleep.' He but expressed the universal feeling of his countrymen. An English officer writing home to his friends after the mutiny, observed :—'I do not hesitate to say the popular 'feeling is intense desire for our rule amongst the ryots.' The same opinion has been given over and over again, and no one doubts the truth of it. The words too which we have quoted re-late to a time when the British authority in Oudh had been paral-ized for fourteen months. What associations had the rural popula-tion of Oudh before the annexation, but hatred of the ruling element, and detestation for the kingly puppet who was swayed by his courtiers? The enormous increase in the Indian exports during the last few years is the most practical testimony that can be

* p. 279.

Digitized by Google

cited to the appreciation of, and the confidence felt in, our rule. Ask a native in whose court he would rather have his case tried; whether before the native Deputy Collector, conversant with the customs of the country, and speaking his language, or before the newly arrived Assistant, who has not learnt the details of his work, and can with difficulty speak a few words of the vernacular grammatically, and he will at once decide in favour of the latter. The Englishman may make a mistake, but he will endeavour to decide according to equity and good conscience. His more experienced neighbour is not above suspicion. We do not make this remark in an invidious spirit. We know many native authorities to whose judgment we would willingly bow, and whose decision we should prefer to that of the inexperienced civilian. But the fact remains the same, and is worth recording, because it indicates so faithfully the bent of the native mind.

After all, the question is not so much whether our Government is a good one, or the best that could be adopted, but rather whether, with our knowledge of the events of past centuries, and an insight into native character, to guide us, our Government is a better one than that which the country could institute or maintain for itself. Adam Smith, whom Mr. Goldwin Smith quotes in support of his own views, remarks, that it is a very singular Government in which every member of the administration wishes to get out of the country, and to have done with the Government as soon as he can. But he does not say that a Government so constituted is incapable of good action, or may not be preferable to the institutions which it supplants. The history of the East India Company's rule is a history of the wars which its servants waged. The years which have elapsed since the Queen's Proclamation tell of regeneration more than conquest; of internal improvement rather than external aggression; of a desire to ameliorate the condition of the people, rather than to administer to the vices of those who were once their rulers. We accept the challenge that is offered, and assert our belief that Philanthropy will be found to administer successfully the heritage of Conquest. Mr. Goldwin Smith seems to wish for a sort of Government, to which his views, if logically deduced, would appear to be utterly opposed. The connection of England with India is, according to him, politically and commercially, a mistake. The government of dependent princes, supported and regulated by us, is probably worse than it would otherwise have been. *A fortiori*, a native government, which has always failed hitherto to dispense justice or to maintain good faith towards its subjects, is the worst of all. Yet this native government is what we must assume that Mr. Goldwin Smith in his heart desires. The truth is that

Digitized by Google

our conduct in former years has made it impossible for us, even if we wished it, to recede, and the urgency of withdrawing still remains to be proved. To say, as Mr. Goldwin Smith says, that India is in the hands of a Bureaucratic Office, or that it interferes with English politics, or that the amalgamation of the English and Indian armies may prove a fiscal evil to the mother country, is beside the point. The evil of the Bureaucratic Office might be remedied by the appointment of a competent and experienced man as Secretary of State for India. Such a man should be well versed in Indian politics, and willing to take and be guided by the advice of his Council. Political blunders are the slowest to be detected, but the error works itself out to the light in time. Sooner or later it will be found, that a few months' rapid travel, and knowledge acquired through the medium of official correspondence, will not be accepted as sufficient recommendation for the post which Sir Charles Wood now holds. There is no reason, so far as we can see, why amalgamation should, if properly carried out, produce either perplexity of accounts, or cause injury to individual interests. But if either result follow, the responsible Minister, and not the connection of the two countries, is to blame. The purchase of rotten boroughs is a tale of years gone by, when the East India Company, in order to preserve its remnant of power and authority as long as possible, went into the market as unprincipedly as any Cabinet Minister of the period, and strengthened its interest by bribing electors and getting its own nominees returned. The argument, now that the evil is a thing of the past, might, with equal unfairness, be applied to Lord Palmerston's present Government.

The truth appears to be, that Mr. Goldwin Smith, having with great force and vigour maintained, in a series of letters, his views on colonial emancipation generally, was at a loss, when bringing his letters into a collected form, how to reconcile the fact of our retention of India,—a subject which he had left unnoticed up to that time,—with the doctrine of emancipation which he had previously laid down. Almost to the end of the letter which we have been discussing, he leads his reader to suppose that he is arguing in favour of abandonment; and that, conformably with preserving her honour, England could not do better for herself than shake off her Indian possessions. Suddenly, almost in the last pages—we come upon the *following sentences:—

'Time then will probably show that it is expedient to leave 'the Government of the Indian Empire to be administered on 'the spot by the Governor-General, with full powers, for the

* pp. 294, 295.

Digitized by Google

'proper exercise of which he will of course be held personally 'responsible by the Parliament of this country. If he proves 'incompetent, the proper remedy is recall; if he abuses his 'authority, the proper remedy is impeachment. The intermittent 'meddling of a Bureaucratic office in this country is of no use 'in either case. It can only diminish responsibility, deaden the 'motives to vigorous exertion, and possibly afford a cloak for 'misconduct. It is not probable that had the Governor-General 'stood alone to answer personally at the bar of English opinion 'for his own offences, he would have dared to enter into the 'Afghan war.'

The letter ends with these words:—

'India is not a colony or a nation, but an Empire; and, as I 'have said before, if you are to have an Empire, you must have 'an Emperor.'

The elaborate arguments used throughout the whole of the letter are disposed of in a few sentences, in which we are asked to make India, in effect, a separate Empire, and to rule this Empire with an autocratic nominee of the Crown. The proposition is a bold one, but as unfeasible as it is bold, and could only have been urged by a man who was in despair of dealing with an untractable subject. A despot by a single act may do mischief so incalculable, that no future impeachment could atone for it. The act might be done in all good faith; but what profit is there in making a man amenable to any, even the highest tribunal, when the mischief which he has caused is irremediable? What need of a despot, when there are men at home well capable of understanding and managing Indian affairs,—when there exists for the guidance of our Indian Minister a body of men, chosen for their special knowledge and experience of those details on which their opinion is to be consulted, when there are the representatives of the nation to whom the Indian Minister is responsible for neglect or mal-administration? If only fit agents be employed, if more interest be shown by the public at large, and if Indian affairs be no longer regarded as an arena for party struggles, there seems no reason to dread the distance which separates the two countries, or the difficulties which may arise when there is room for diversity of views and policy. Every year lessens the period of communication between London and Calcutta. The last few weeks have shown that this communication is a matter of hours, not of days, or of weeks. The elements of a good and efficient Government are at our command, and, under such a Government, India will prove herself, as indeed she ought to be, the brightest Jewel in the English Crown.

Digitized by Google

ART. IV.—*A History of the Sepoy War in India*, 1857-58. By John William Kaye, Author of the 'History of the War 'in Afghanistan,' in three volumes, Vol. I. London, W. H. Allen and Co. 13, Waterloo Place, 1864.

THE very title of Mr. Kaye's new work, 'The Sepoy War,' is indicative of the euphuistic spirit in which it is written. It is pleasant reading, pure English, and the story is told in an interesting manner, but it is marred by a want of plain speaking. Nothing can be better than his account of the causes which prepared the way for the Mutiny—for Mutiny and Rebellion it was, and by no means a 'Sepoy War;'—the narrative of the earlier mutinies is clear, interesting, and suggestive; the insane conduct of Government in tampering with the pay of the men,—in diminishing the authority of the Officers, in abolishing flogging, which an old native Officer condemned, as being like 'offering the troops sweet-meats with both hands, 'instead of ruling them with the whip in one hand, and sweet-'meats in the other,'—the dangers of over-centralization, and of the grasping Dalhousie policy, are all clearly set forth and justly condemned, but the whole work is wanting in the courage to draw conclusions. The time is passed when men were satisfied with chronicles, written in accordance with the maxim of Quintilian, whose sole object was to narrate, and not to teach. The very aim and end of a historian, as distinguished from a story-teller, is to draw clear and definite conclusions from the facts he has ascertained, and it is here Mr. Kaye stops short and fails. He is even wanting in a definite statement of facts, whenever those stubborn things hit any one rather hard. For instance he speaks as if Goojrat were the result of wisdom learnt by Lord Gough from the sad experience of the disastrous field of Chillianwala; whereas Mr. Kaye must have had access to proof, that one of the greatest services rendered by Lord Dalhousie to his country, was the steady, unyielding, though most courteous constraint, which he placed upon the hot-headed Irish Commander-in-Chief, refusing to allow him to advance, until joined by the force from Mooltan.

So in the famous quarrel between Lord Dalhousie and Sir Charles Napier. Mr. Kaye, having accumulated proofs that the heroic old Chief was right in his assertions of the mutinous state of the Army, having narrated the strike of the 13th and 22nd Regiments on their pay being reduced at Rawul Pindee in 1849, and 'the unmistakable signs of a confederation of many

Digitized by Google

'regiments' at Delhi, the mutiny of different regiments in the Punjab, and the attempt to seize Govindghur, records with approval the wise measures by which Sir Charles, in the absence of the Governor-General at sea, dealt out even-handed justice to the Sepoy, and stopped the progress of mutiny. He then quotes Lord Dalhousie's passionate denial of the truth of the Commander-in-Chief's statement that India was in danger from mutiny, and winds up with the lame and impotent conclusion that whatever the danger may have been, it was 'tided over', (a phrase singularly inapt to express the Commander-in-Chief's active measures), and that there was no blame to be attached to the Governor-General. He thus shrinks from the logical conclusion, and avoids impressing upon his readers the obvious lesson, that as every man is likely to know his own business best, it is only at the risk of an immense amount of blame for both blindness and presumption, that even the most able Governor-General can utterly refuse to listen to the deliberate opinion of a Commander-in-Chief '*of high 'repute, a man of consummate ability*' regarding the state of the Army under his command, and the right method of dealing with it. If Sir Charles Napier was right,—and he was right,—Lord Dalhousie must have been very greatly to blame.

Another remarkable instance of Mr. Kaye's courtier-like fear of stating unpleasant facts is that of the 6th Madras Cavalry. This Regiment as usual mutinied, because their pay was lowered. The discontent was heightened by the extreme unpopularity of the Commanding Officer, but was assuaged by the restoration of higher allowances. It was impossible to disband the Corps at Jubbulpore, from the want of an overawing force; it was therefore again placed on duty, a step which, by all Military law and justice, is held to be tantamount to complete forgiveness, and to afford perfect protection against any subsequent trial or punishment. In defiance of this obviously just rule, this unhappy Regiment was lured down the country 'with arms in its hands' 'doing its duty for many weeks.' When safely caged, the chief among the already pardoned culprits were tried and shot. Will it be believed that Mr. Kaye nowhere gives this disgraceful and tragic termination of the story? He characterizes such a course as 'cruel and dastardly,' he shows the difficulties of the case, points out that Lord Ellenborough was eager for the disbandment of the Regiment *at the time*, and averse to the infliction of condign punishment, and that Lord Tweedale held opposite views, but he never plainly tells what was done. It is one of the blackest pages in our Military history, and the news of it roused the indignation of the impassive and easy going Lord Auckland to such a height, that it was only a sense of the leniency with which his

Digitized by Google

own shortcomings had been passed over, and perhaps also of the inexpediency of his attacking any one on Indian Affairs, which made him refrain from bringing the matter before the House of Lords.

When we are powerless to punish by the strong hand, we must frankly pass over an offence. To punish by stealth or stratagem after avowed and implied forgiveness, is worse than poisoning a malefactor whom we have not strength to seize. A case like this calls for a plain, honest statement of all the facts, and an equally plain and unmistakable condemnation on the part of the historian. Mr. Kaye does not notice the great cause of the peculiar disaffection of the Irregular Cavalry, *viz.* the inadequacy of their pay, to feed, clothe, and support the trooper, his family, and his horse. Originally they were a kind of local yeomanry, and the amount which was sufficient for a man living in his own house, or on his own bit of land, and among his neighbours, dwindled to starvation rate when the corps was sent to great distances, and was subjected to all the vicissitudes of regular Cavalry. The men became consequently deeply in debt at ruinous rates of interest, as Government refused advances even for their first outfit.

Lord Dalhousie introduced a special cause of discontent into the Hyderabad Cavalry by disbanding the 5th Cavalry as a punishment for having sent an anonymous letter of complaint to the Brigadier against their most unpopular Commanding Officer. This extreme measure was executed some time after the above offence, and immediately on their return from doing good service in the field. The right of having a horse in the Regiment was hereditary, and worth from 1,000 to 1,200 rupees to disband the corps was therefore to confiscate a very large amount of property, and by attaching the men as supernumeraries to the other Regiments of the contingent, promotion was impeded in all, and a universal feeling of discontent and insecurity excited. It is true that Lord Dalhousie brought forward the plea of economy, but this never reaches the troopers, nor would it have satisfied them. Injurious measures are always expensive, and Lord Dalhousie in many instances was an example of the homely proverb, 'penny wise and pound foolish.' A little patience would have afforded him an opportunity of doing most justly, that which he carried out so recklessly, for the severity of disbanding the 5th Cavalry is in remarkable contrast with the unwise leniency with which, a few years after, he treated the 3rd, who rose in open mutiny, attacked and nearly killed their Brigadier, and escaped with scarcely any punishment. Had he not disbanded the first, he might not however have had the opportunity of disbanding the 3rd Regiment, as no other cause for the mutiny of the latter has been discovered.

Digitized by Google

In relating the disarming of the 7th Oude Irregulars Mr. Kaye totally omits the fact, so significant of the blindness of men in authority even in May 1857, that the officers of that Regiment were driven nearly to desperation, by the efforts of the Court of Inquiry to fix the whole blame of the mutiny on them, and not on the mutineers, so that they had resolved to demand a trial by Court Martial, when the news of the outbreak at Meerut caused Sir Henry Lawrence to put a stop to the Inquiry, and to assure the officers of his perfect satisfaction with their conduct.

But the most remarkable instance of Mr. Kaye's euphuistic spirit is the manner in which he speaks of Lord Canning. After a really verbose introduction comprising the history of the house in which his hero was born, and the schools at which he was trained, but omitting the more material fact that, to the marriage of his mother's sister and co-heiress to the Duke of Portland, he was indebted to much of the great political interest which supported him, the historian has a sentimental passage 'on the love and courtship which formed a sweet 'interlude in his life, and bore the rich fruit of happy wedlock,' and characterises his noble and energetic wife as a lady of 'serene and gentle beauty,' a phrase more suited to a flaxen haired drawing-room belle than to one whose mind and character rendered her a fit wife for a hero. All in Calcutta well know that one element of Lord Canning's great unpopularity was the generally received opinion, that by his fault his marriage was not a happy one.

'His eminently handsome, intellectual countenance,' 'singu-'larly handsome face,' may be considered as matters of taste, but the remarkably lack lustre eyes, which prompted a lady to apply to him the line, 'There is no speculation in those eyes, that 'those dost glare with,'—and the obstinate and yet undecided hanging under-lip, prevented most persons from being of Mr. Kaye's opinion. We think Mr. Kaye has proved that Lord Canning was more fully aware of the imminent danger of the country, than he was supposed to be, but though he proves that he *knew* better, he by no means shows that he acted better. He endeavours to excuse Lord Canning's delays and feeble measures by saying that 'his great defect as a ruler in troubled times was an 'excess of conscientiousness.' He grants that 'the processes 'by which he arrived at a resolution were slow,' but he excuses this on the plea, that 'at every stage some scruple of honesty 'arose to impede and obstruct his conclusions.' Does Mr. Kaye mean to say that any man can be *too conscientious?* That a ruler is occasionally the better for thrusting conscience aside, or that

Digitized by Google

men of rapid eagle glance, and quick decision, like Sir Charles Napier or John Lawrence, are not as honest as Lord Canning?

His defects were, simply, slowness of perception; incapacity for that rapid decision, so indispensable in cases of emergency; and inability to come to a clear conclusion between conflicting difficulties;—faults which rendered him unsuited for the evil days on which he fell, and which have no connexion whatever with conscientiousness.

We regret to see so good a writer as Mr. Kaye occasionally guilty of turgidity and grandiloquence. Thus, in what appears like a parody on the song of Deborah, he writes:—'*So Canning* '*arose*, and with his still calm face, confronted the dire calamity.' That 'mother in Israel' arose to some purpose, for she went up 'against Sisera with Barak, and the ten thousand men at his 'feet,' but Lord Canning arose, and *sat down again!* The chief accusation against him in the memorial for his recall was that he had done nothing and had hindered others from doing anything. It is absurd to argue that the credit of originating the thought of asking for the China force should be given to Lord Canning, when we have proof that General Hearsey, Sir Henry Lawrence, and Sir Patrick Grant, had all urged it upon him, to say nothing of the advice of Lord Elphinstone. Mr. Kaye accuses Lord Dathousie, and with justice, of want of imagination, and traces to that source his inability to judge from any point of view but his own. But the want of sympathy was in a much greater degree the characteristic of Lord Canning. He was of a far colder and more impassive nature than his able predecessor, and as incapable of carrying a nation along with him in his measures, as a lump of ice is to act as fuel to a locomotive.

We give Lord Canning full credit for his coolness in the presence of danger, but that courage would have been far more admirable, had we been certain that the danger was understood and appreciated. His speeches about clemency,—for they were chiefly words and not deeds,—would have caused no irritation, had they come from a man whose heart was known to beat in unison with the hearts of his countrymen. Had Sir Charles Napier, Sir Henry Lawrence, or Sir James Outram been at the helm, (three men of the warmest and most tender sympathies), every Englishman would have felt sure that the heart of the Governor-General throbbed with the same emotions as his own, and his warning to remember mercy would have been acknowledged by all as necessary and right. But it was Lord Canning's misfortune so utterly to alienate himself from his countrymen, that his sympathies were believed to be more with the murderers than the victims. He systematically rejected every offer of assistance from

Digitized by Google
13996B

the non-official classes, and instead of openly recognizing the peril, and cheering men on to face it, he affected to ignore it, and almost sneered at those who saw farther than he professed to see; and, although the honesty of his character makes us unwilling to believe that it was done by his authority, yet there is no doubt that the most alarming events, and among them, the massacre of Cawnpore, were distinctly denied by members of Government, who had positive information of them in their pockets. So complete was the alienation between the Governor and the governed that not a hat was raised to Lord Canning when he went abroad, and the most incriminating memorial that was ever drawn up for a Governor's recall was signed by every man who was free to do so. Any Governor who could rouse sober, impartial men, with no personal object to gain by his downfal, to such a pitch of animosity, and who could so totally and entirely fail in gaining public confidence, must be deficient in the first qualification of a Ruler of men; and this was the case with Lord Canning. In ordinary times he might, and probably would, have been a useful Governor, as was shown in the last two years of his Viceroyalty, but during the Mutiny he was a failure.

Mr. Kaye affirms that it was the vehement self-assertion of the Englishman which produced the conflagration. By this somewhat vague phrase, we suppose he means our wilfulness and disregard of the native character and prejudices. This is to a certain extent true, but to a limited extent only. Christian and civilized rulers of a heathen and partially civilized country are called to a conflict with error, superstition, and barbarism which cannot be avoided. The suppression of Suttee is an instance. It was a duty from which no Christian Governor could shrink; at the same time it involved great risk of rousing the passions of the natives, and the abolition of it by Lord William Bentinck, in the face of all the opposition he encountered among his own countrymen, was as gallant an act as could have been done on a field of battle. Again, it is the duty of Government to educate the people. This can only be done by teaching them truth, and even geographical truth overthrows their creed. There we cannot educate them without opposing their belief. Neither can we deny education or any other benefit to the lowest caste. In fact we cannot recognize caste in any way, without hindering the progress of the nation, and oppressing the already oppressed poor. If we once grant that Christianity is true, we are logically bound (to say nothing of conscience) to oppose cruelty and immorality, to raise the people, to check oppression, to put an end to slavery, to dis-

Digitized by Google

courage polygamy, to treat all as equal before the law, and in so doing we must give offence, we must rouse hatred, and we must run the risk of the consequences whatever they may be. This is what Lord William Bentinck did, and this is what every British Governor is bound to attempt. These are difficulties inherent in our position as Englishmen and Christians.

But no man of sense would say that the increased morality of the English in India, their increased sense of that responsibility to God, both in their public and private capacity, was the cause of the Mutiny. Nowhere did the authorities so openly profess their Christian faith as in the Punjab, and nowhere else was there equal loyalty among the people.

The real causes of the Mutiny on our side are to be found in our faults, and the faults of our Government, in injustice, grasping ambition, breaches of faith towards the troops, and oppression of the people. These are not a part of our national character, nor are they vices inherent in our position as Christians and Britons. To confuse then, the opposition we excited by doing well, and that which we provoked by doing ill, is to lose the opportunity of enforcing the grand lessons of the mutiny and rebellion, and of teaching us nationally to 'cease to do evil, and learn to do 'well.'

As foreigners, we must, to a great extent, be unpopular. All the more need is there for courtesy, conciliation, and, above all, for the practice of unimpeachable justice, and for fidelity to our engagements.

We can never be safe in India, unless our dealings are such as to force all classes to acknowledge that we are the best rulers they ever had. The chief feeling which kept the unwarlike Bengalis from rising against us, was the conviction, as expressed by one of themselves, that though not as good as we should be, still we were much better than their Mahommedan masters. Mr. Kaye shows the danger of unduly extending our territory, but he does not distinguish between a just conquest like the Punjab, and unjust annexations like Nagpoor. His principle seems to be that it is dangerous to extend our territory, but the true moral is, that it is dangerous to do so *unjustly*. In politics a crime is always a blunder. He shows that our annexation of the Punjab caused discontent in the Native Army, but that this discontent was owing to the abrupt and unexplained reduction of their pay,—a measure which might have been safely carried out by a little wise forbearance and candour on the part of Government, as Mr. Kaye himself points out further on.

All the Mutinies which have taken place in India, European

Digitized by Google

and Native, may be traced, 1st, to some injustice on the part of Government, some unfairness regarding pay or other rights; 2nd, to interference, real or supposed, with caste; 3rd, in a much smaller degree, to the machinations of disloyal emissaries; and 4th, to errors of management. It must be remembered that a mercenary army can only be kept faithful by making it their interest to be so. They must be well paid, and well treated, and nothing must be done to shake in the slightest degree their confidence in the Government. There must consequently be no ambiguity whatever in the terms made with them, and in all doubtful points the balance should incline in their favour.

Sir H. Lawrence said that all the instances of discontent he had witnessed in the Native Army were connected with pay, and in almost every instance the men *only asked for what they were entitled to.* He declared that perhaps '*the greatest want of the Army* 'was the want of a simple Pay Code, one that would unmistak-'ably show the pay of every rank in each branch, under 'all circumstances. Half a sheet of paper ought to show 'every soldier his rate of pay, by sea, by land, on leave, on the 'staff, in hospital on duty, &c. There ought to be *no doubt on* '*the matter.* At present there is great doubt, though there are 'Volumes of Pay and Audit Regulations.' For 'though,' we would substitute 'because.' This crying want seems as far as ever from being supplied, and, until it is supplied, there will always be unexpected hardship, injustice, and discontent, if the result should even stop there.

In a thoroughly constitutional civilized community, it is well to be on our guard against too great exaltation of the military. *Cedant arma togæ* is then a wise maxim, but in a country which is evidently held by the sword (though not governed by it) this becomes most unwise and impolitic. It was formerly an honour for a native to serve in our ranks. Among other privileges a Sepoy on furlough had a right to be heard before other suitors in our civil courts. Mr. Kaye denies that these privileges were ever withdrawn, but they have been practically neglected. Every thing should be done to render the service both honourable and profitable, so as to make dismissal a heavy punishment.

The first mutiny in the Bengal army was among the Europeans, and the sepoys followed their example, because they were offered a seventh instead of half the European share of a donative. The Bengal officers mutinied in 1766, on their allowances being reduced. In 1805 the Madras sepoys being forbidden to wear their earrings and marks of caste, being required to shave their chins and wear a leather cap, became discontented, and listened to the emissaries of Tippoo's sons. *A sepoy who gave warning*

Digitized by Google

was put in irons. The result was the massacre of Vellore, and even after this, officers who took decided measures of precaution by calling in Europeans, or disarming untrustworthy troops, did so at the risk of their commissions. The discontent of the 47th Regiment at Barrackpore in 1824 was caused by their being required to find their own carriage cattle, and they were mown down at the order of Sir Edward Paget without proper explanation, conciliation, or warning. 'They are your own men 'whom you have been destroying,' was all that an old native officer could trust himself to say with reference to this event.

History repeats itself. There is the same story over and over again, of discontent excited by some *real or supposed* injustice, by some retrenchment, by diminution of allowances, or interference with some right or privilege, (as by the annexation of Oude, or the disbanding of an irregular Regiment, whereby the men lose property as well as pay,) by the dread of the ever famous greased cartridges, which, though possibly never issued, were undoubtedly prepared, and, by a remarkable want of caution, the fat was supplied by a Brahmun firm Gungadhur Banerjea 'for Ar-'senal purposes,' when the substitution of the words, 'for 'European troops' would have prevented the possibility of mistake. Thus is the fuel prepared, the spark that shall set it on fire is never far off. Emissaries from some prince who has been wronged are then listened to. It is remarkable that the emissaries of the Nana could not succeed in stirring up the sepoys until after the annexation of Oude. Warnings, whether from sepoys, officers, or Commanders-in-Chief, are then neglected, disbelieved, and rewarded with irons or insult, according to the station of the prophet of evil.

The mutiny takes place, and the mutineers are joined by all the disaffected among the general population. There has never been any serious rebellion in India, unless there was also mutiny, but it was the deep rooted discontent caused by our oppressive revenue enactments which raised the whole of the North-West Provinces against us, and made them join the sepoys. In almost every case, had the Government foreseen even the possibility of such results from their own acts, they could easily have devised a remedy, as Sir Charles Napier did, by enlisting Ghoorkhas. Had they paid attention to the warning they received, they would have been prepared to meet or even to forestall the danger, and had they studied human nature, and especially the natures of the natives of India, they would not have been guilty of those many errors of management which paved the way for mutiny, and which deprived them of their best weapons for meeting it.

Digitized by Google

During many years Government totally lost sight of the fact,—perhaps they do not now always recollect it,—that their best hold on native troops is through the officers. The sepoy has no affection for Government, he is only to be led by personal influence, and this is most strongly the case with the most dangerous and useful classes in the army, the Afghans, Sikhs, and Ghoorkahs. These men are to be led and governed only by those whom they know and trust. And here we cannot but blame Mr. Kaye for allowing the assertion to pass without comment, even if he does not rather enforce it, that it was an advantage in some respects when our English officers commonly lived under the dominion of Native women. He has only to consult any old grey beard among the Native officers, to learn the intrigues, the corruption, the favouritism, the imputation of bribery to the officer even when he was not personally guilty of it, to say nothing of the lowering of the whole moral tone of all who drank of this Circean cup, which were fostered by this system. Hundreds of officers can testify that it is *not* by degrading themselves to the level of native morality, that they acquired influence over their men, but by justice, sympathy, and kindness. It was the Government, which, by unwise centralization, detached the sepoys from their officers, and this result was not to be attributed to the presence of English wives, or to frequent furloughs to Europe. The less *native* an officer is, the better; because the more English he is, the more pure in life, the more strict in conscience and honour, the more self-denying and devoted to his duty he will be. There is not a shadow of doubt that Natives esteem and respect the Englishman who lives 'according to his Book,' to a degree they never feel towards one who imitates their own vices. For years before the mutiny Government had done every thing to diminish the influence of the officers by lessening their authority, depriving them of the power of promotion, and even at one time, on the Madras side, by receiving reports from a native spy in each Regiment regarding the officers. They encouraged lax discipline. Mutiny was passed over in many cases as a venial offence, flogging was abolished in the native army, and instead of the strictest discipline and an even-handed justice, there was weak temporizing with guilt, and petty parsimonious tampering with pay. One of the first effects of the mutiny was to bring about a partial restoration of power to the officers, and this,—so far as it has been allowed to go,—with the happiest results.

This diminution of influence was undoubtedly the main cause of the diminution of interest felt by officers in their profession. No wonder an officer felt indifferent to his Regiment when he could neither reward nor punish, but it is a fact, that as soon as

Digitized by Google

he obtained command of an Irregular corps in which he had more freedom of action, he plunged into his work heart and soul, was every day for hours on parade or in the lines, and learnt to take the liveliest interest in all that concerned his men.

One fertile source of fatal blunders and mismanagement has been appointing old English officers who know nothing whatever of India to high military command. Hence innumerable mistakes. For instance, Lord William Bentinck required the sepoys to salute with their left hands as well as with the right. Every one acquainted with natives knows that the left hand is considered so utterly unclean, that it is the greatest insult to salute with it. Consequently a sepoy who respected his officer would cross the road in order to pass him on his left, and thus salute with the right hand, and on meeting an officer whom he disliked, he would gladly avail himself of this excuse to insult him. But the sepoys never dared to salute a *native* officer with the left hand.

The abolition of corporal punishment in the native army, while the sepoys might see their European comrades flogged on the next parade ground, was a measure bordering on insanity.

Mr. Kaye excuses Lord Dalhousie for having refused to listen to the numerous warnings and remonstrances he received on the critical state of the native army, on the plea that officers of experience differed from each other. Doubtless there were great differences of opinion on many points, but on some all officers of experience and thoughtfulness were agreed; and on this one, above all, that the only way of managing the sepoys was by personal influence (as was shown in the case of Colonel Oran, quoted by Mr. Kaye, whose Regiment offered to follow *him* to Europe) on the part of their officers; that personal influence could scarcely be maintained without personal power; and that Government should increase and not weaken this. Another point on which all true soldiers were unanimous, was the necessity of strict discipline, without which, to use the words of an official report some years before the mutiny, 'an army of mercenaries must 'degenerate into Strelitzes, Janissaries, or Prætorian guards.' The reward this officer got for his plain speaking was a reprimand from Government, backed by another from the Court of Directors. Many others experienced the same treatment, and perhaps officers never met with less support than under Lord Dalhousie's Government. A third point was the necessity of so dealing with the sepoy that his confidence in Government should never be shaken. His pay and his rights should have been sacred.

On these points there was *no difference of opinion*. Yet the Government, especially under Lord Dalhousie, acted in defiance of

Digitized by Google

these maxims, and when the sepoys lost all confidence in their rules, the officers were in most cases, but by no fault of their own, powerless to overpersuade the troops. They might have made the famous reply of the last Earl of Douglas, when the sovereign who had kept him in a monastery called upon him in his own extremity, for the assistance of his great name:—'The king has kept 'both me and his gold under lock and key too long. Neither of 'us can now help him.'

The mania of over-centralization, of retaining all power in his hands, and wishing to do every thing himself, must, in such an Empire as that of India, be productive of infinite evil, whenever it lay hold of a Governor-General. It must end in breaking down his health, if in failure of no other sort. A captain cannot both command his ship and tar the rigging.

Mr. Kaye's sketch of the manner in which Lord Dalhousie alienated the princes of India, and with them, to a great extent, their subjects, by his arbitrary denial of the right of adoptive sons to succeed, and by grasping annexations, is, like all else that he writes, clear and interesting. But on this, as on so many other points, he shies when he comes at conclusions within sight of a corollary. He shows that the Mahommedan rulers had never interfered with the succession of adoptive sons, and that it was 'reserved for the British' to propound the novel doctrine of 'the right of lapse.' Lord Dalhousie, by a quibble unworthy of his pen, was fond of asserting that when a Prince left no *issue*, he left no *heir*, a transparent fallacy which has only to be applied to the case of George IV. to prove its absurdity. Here again, though the opinion of the writer is evident, he passes over Lord Dalhousie's plausible assertions without dissection or confutation, instead of asking by what right the Governor-General introduced a new and unheard of claim to prevent an adopted son from succeeding. Indeed Mr. Kaye seems rather to favour the distinction between the right of adopting a son, and the right of the son to be the heir of his father. In his very novitiate, Lord Dalhousie despised the deliberate judgment of Sir George Clerk in the case of Sattara, just as he afterwards refused to listen to the sound principles, to the wise and just maxims laid down by Colonel Low, (a statesman whose character, high as it has always stood, must rise higher and higher on the perusal of each of his minutes,) to the remonstrances of Mr. Mansel, Resident at Nagpore, who proved his sincerity by resigning the service, and to the deliberate opinions of such men as Colonel Sleeman and Sir Henry Lawrence in regard to Oude. Both of these experienced administrators agreed with General Low in opposing annexation.

Digitized by Google

All three advised that we should take the management of the country into our own hands. This was due to the unfortunate people, for our protection had enabled the kings of Oude to exercise an unlimited amount of tyranny and oppression, untempered by the normal remedy for despotism,—assassination, or revolt. Our interference had increased the misery of the people, chiefly by securing impunity to the ruler, but also by deteriorating him, and it was now needful to find a remedy. A treaty had been signed in 1837, and although disallowed by the Secret Committee of the Court of Directors, yet the Court of Lucknow was suffered to suppose it valid, and it had been quoted as being so by the Resident. To set it aside and bring forward the plea of invalidity for the first time eighteen years after, can only be likened to the act of Henry VIII. in repudiating Anne of Cleves on pretence of his own non-consent to the marriage contract. Neither General Low, General Sleeman, nor Sir Henry Lawrence approved of annexation. Their view was, that we should govern the country for the benefit of the king and his people, and as far as possible and by native agency, and that not a rupee should go into our treasury. Lord Dalhousie determined to take the revenues; and this measure was sanctioned by all the Home authorities, with the Queen's Ministers at their head.

How the confiscation of Jhansi was avenged is written in characters of blood. Under precisely similar circumstances Lord Auckland had maintained the right of succession and had done justice, where Lord Dalhousie had done the contrary. Colonel Lord only succeeded in saving Kerowlie owing to the support of Sir Frederick Currie and the Court of Directors. Sattara, Nagpore, and Oudh were swallowed up by the same unhallowed greed for annexation,—the same contempt for the prescriptive rights of Native Princes. We have already alluded to the fact that even the Nana failed in all his attempts to corrupt the Sepoys until after Oude had been annexed.

No one can put facts and explanations together more clearly or in a more interesting shape than Mr. Kaye, when it is his object to do so, and his fourth chapter on the manner in which we alienated the higher classes throughout India is one of the best in the book. It is the heaviest charge against, and, impliedly, the most emphatic condemnation of, government by an uncontrolled Civil Service, we have ever read. He shows the change which took place between the generous and wise system of such men as Sir John Malcolm, Lord Hastings, Mount-Stuart Elphinstone, Mr. Robertson of the North-West Provinces, Sir G. Clerk, Mr. Mansel, Sir Henry Lawrence, and others, and that of

Digitized by Google

Mr. Thomason, Mr. Bird, Lord Dalhousie, and his followers,—the great body of the Haylebury Civil Service. The former knew that to manage the people you must influence their nobles. They were well aware that when a nation is reduced to a dead level, without an aristocracy, it may give less trouble in ordinary times, because men of rank and wealth are necessarily more independent, more bold in expressing their opinions, and standing up for their rights, than those who poor, uneducated, or dependent. The former are therefore much more troublesome to Government officials (nearly as much so as English settlers), and consequently generally make themselves unpopular with those accustomed to the servility of Native Omlahs. But let the populace once take hold of some idea, however foolish or irrational, and the official will be found powerless to deal with them. Every herdsmen knows the necessity of having the lordly bull to march at the head of the herd, to keep it in order, but he would utterly decline the conduct of a crowd of affrighted calves, who, with tails erect, would scour madly over the plain, whilst, under the conduct of a leader, they would wait patiently by the side of their mothers in the centre of the herd, even to receive the charge of a tiger.

It may be stated as an axiom, that, excepting the criminal classes, there is never any very wide difference in the characteristics of different ranks of the same people. The rich and well educated Bengali does not differ so much in character from his peasant countryman, as the latter does from a peasant, Rajpoot or Mahratta. Certain national traits are common to all classes, and serve to bind them together. But the native gentleman is more open to reason from an English gentleman than is a poor villager. He has more character to lose, he values more highly the good opinion of Government, and of the Europeans with whom he is brought into contact. It is therefore impolitic to deprive ourselves of the assistance of an upper class, to say nothing of its being unjust, and of injustice always being folly. The result of the degradation of the native aristocracy has been to place power and influence in a far inferior class of men,—men without rank, without family pride, without reputation, unknown to the districts they serve in, who, having no name and no character to forfeit, will take eight, or four, and even two anna bribes, but sly, subservient, well versed in the arts of blinding their European master, and of leading him blind-fold towards their own objects. A man of high standing, though he may not be morally better, is by the very fact of his position raised above many of the most degrading practices, and is far more likely to deal justice to those beneath him, because his interests are not concerned

Digitized by Google

in the matter. Moreover the native aristocracy has immense influence among their countrymen. Is it not wise to enlist that influence on our side, by opening to them an honourable career in both our Civil and Military Services, rather than turn it entirely against us? In order to do this we must at first require less stringent examinations. Our Deputy Magistrates, Vakeels, and other native officials, are, generally, sharp quick witted lads of low family who have been trained and crammed to pass the examinations required. If we want a higher class of men, we must at *first* be less strict in examinations, but we shall get a better raw material.

Mr. Kaye gives a lucid sketch of the settlement of the North-West, of the attack on the prescriptive rights of the Talookdars (or hereditary farmers of revenue), of the systematic depression of the native nobles, the resumption of old hereditary grants, even those which had been bestowed by Hastings and Lord Lake for gallant and faithful services, and of the Inam Commission at Bombay,—which in five years resumed *twenty-one thousand* out of the thirty-five thousand estates, whose titles they professed to enquire into. He touches on the crying injustice of the law of Sale, by which estates were put up for debts of a few shillings. He shows that this system was not initiated by Lord Dalhousie, but confirmed and extended by him. He shows how we not only deprived natives of high social position, of their lands, property, and influence, but thrust them out from all profitable and honourable employment instead of treating them with respect, maintaining their rights, and attracting them to the service of the State. He proves that by so doing we only incurred their hatred, but that likewise of their hereditary followers and retainers, over whom we could not succeed in destroying their influence. The modern uncivil mode of behaving to natives has arisen partly from the inferiority of the class whom we have raised to official positions of respectability. The Native Amlah in former times were more gentlemanly, less subservient, but more respectful, and it was more easy to show them courtesy and respect. Mr. Kaye takes pains to assure us that the most hard and unjust measures were done 'conscientiously'. Indeed the motto of his book might be:—

> For Brutus is an honourable man;
> So are they all, all honourable men.

But what is the use of conscience if it does not keep us from doing wrong? If we have no right to impute bad motives to one who does a good action, we have none to attribute good motives to those who do ill. All a historian has to pronounce judgment upon are public *acts*. We must look at what is done, not at

Digitized by Google

what is said. No man ever brought forward more plausible moral grounds for the greatest political immorality than did Lord Dalhousie.

The Government professed indeed their desire to protect the poor, and it was doubtless true, but that gave them no right to oppress the rich. Mr. Kaye quotes Henry Lawrence's saying, 'The doctrine now is, that *it is wicked* not to knock 'down and plunder every native Prince,' and he shows that this was the prevailing tone of the majority, and that any one who meekly ventured to ask, 'how would you like it yourself?' was reproached in language little short of that which might be fitly applied to a renegade or a traitor; that the most influential portion of the Press supported the Governor-General's views and insisted on the duty of universal usurpation, although some pointed out that 'should confiscation of rent-free land spread 'to those provinces from which our Army is recruited, we shall '*very soon have to trust to British troops alone.*'* But all warnings were in vain. One after another the advocates of a generous policy were made to suffer for their principles. Henry Lawrence himself, that true specimen of Christian chivalry, after fighting 'every losing battle for the old Chiefs and Jagheerdars 'with entire disregard for his own interest, at last left the 'Punjab dented all over with defeats and disappointments, 'honourable scars in the eyes of bystanders,' yea, and of the angels in heaven!

Will it be believed that after so ably summing up the real causes of the mutiny, after showing how we had alienated prince and landholder, how we had destroyed all confidence in our fidelity to Treaties, and in our respect for vested rights, and even in our pecuniary honesty, Mr. Kaye condescends to dwell on the pseudo causes of disaffection which were brought forward by the antichristian party among the English in India,—such as our interference with the power of the Brahmans by education, and by permitting the re-marriage of Hindoo widows; by the introduction of Railways and Telegraphs; and by the preaching of Missionary officers? We fear that the antichristian spirit of the late Court of Directors is not wholly extinct in the present Indian Council, and that Mr. Kaye, in despite of his former works, has been in some degree infected by it. The grand defect of his book is the one we noticed at the beginning of this article,—his failure to distinguish between danger incurred by doing right, and danger incurred by doing wrong. Supposing that the zealous propagation of female education, the limitation of so

* *Englishman*, 2nd November 1838.

Digitized by Google

gross an abuse as Kulin polygamy, the introduction of the Railway, the support of efforts for the conversion of the heathen had been really dangerous, were we to put a stop to all these things, were we, for very fear, to shirk our plain duty?

But we deny emphatically that these things were dangerous. Some classes of natives might and did object to them, but would the army ever have risen on behalf of Kulin polygamy, would the Princes have taken up arms against female schools or the remarriage of widows, or would the villagers have been aggrieved by Officers preaching in the bazars? It is a curious fact that a Bengalee Brahman, Dukhinarunjan Mookerjee, publicly denied in the papers that missionary efforts had had any thing to do with the mutiny. It is another fact that the Regiment from which Colonel Wheler had lately been removed, and to which he had preached for years, stood almost alone in its fidelity. It is also a fact that the sepoys never complained of any Officer preaching to them. The Natives are not fools. They must have known what they had to complain of, and the Government was the sole object of their complaints. They knew quite well that no one could make them listen to a Missionary or even to an officer except by their own free will, but they were full of suspicion of what the authorities might be doing in the dark. That which is open and above board they understand. They never accused Missionaries of plotting against their caste with bone dust or pig's fat, because they knew and trusted the Missionaries, and in many cases, the latter were the only Europeans who retained any influence. But natives did not trust the Government, and it was the Government they accused of plotting against their religion. A Brahman Jemadar stated openly to Sir Henry Lawrence, 'that for ten years past, the Government had been engaged 'in measures for the forcible, or rather fraudulent, conversion of 'all the Natives.'

It may be thought that we are hard upon the Government for thus dwelling on their errors, but what use would it be to confine ourselves to pointing out solely the defects of the native character, its suspiciousness, its fanaticism, the barbarism in various forms which forms so large an element in it? If a statue is faulty, we blame the sculptor, and not the defects of the marble. If discord is produced, we find fault with the musician, and not with the jangling instrument. If agriculture is ill understood and ill carried out, we address the farmer. Here in India we have a stubborn soil, and a climate subject to storms and hurricanes: we cannot alter these things, but we can meet them. We can improve our modes of cultivation, we can take precautions and measures of prevention, and look

Digitized by Google

to God for a blessing on the works of our hands. We have spoken plainly of our own errors from the conviction that the lessons of Mutiny have not been lost upon us nationally, because too, we would hope that those errors will serve as a warning for the future; that here and in England, they will be well meditated over by those to whom Providence has entrusted or may entrust the destinies of this teeming country. 'Justice, said a great orator in the House of Commons, justice is truth in ac-'tion, and I demand it from the noble lord.' It is this Justice, this Truth in action, that we demand for all those, of high as well as of low degree, who come under the denomination of natives of Hindostan.

There are some other glaring defects in Mr. Kaye's narrative which it is incumbent upon us to notice. For a writer who had at his disposal so many means of arriving at the truth, he is strangely inaccurate. He tells us, for instance, in the first three lines of his second chapter, that 'three years after 'his arrival in India, Dalhousie had brought to a close two 'great military campaigns, and had captured two great provinces,' —those provinces being the Punjab and Pegu,—the latter of which, he tells us in the first chapter, was annexed in 1849. Now, all this is grossly inaccurate. The Burmese war was not begun till 1852, nor brought to a close till 1853, more than five years after Lord Dalhousie had assumed the reins of Government. Equally incorrect is he when he asserts, in the first lines of his fifth chapter, that 'after this,' that is, after the Dalhousie and Napier quarrel, 'there was a season of 'quiet. The remaining years of Lord Dalhousie's administra-'tion passed away without any further military outbreak to 'disturb his rooted conviction of the fidelity of the sepoy.' Mr. Kaye makes this assertion in the face of the fact that in 1852, the 38th Light Infantry was invited to proceed to Burma, and that it refused, and that Lord Dalhousie, fearful of even seeming to admit, by any act of his own, that Sir Charles Napier had been right in his estimate of the disaffection prevailing amongst the sepoys, passed over this contempt of discipline in silence. It would seem as if there had been almost a deliberate purpose on Mr. Kaye's part, to bring the Burmese expedition and all its attendant circumstances within the first three years of Lord Dalhousie's administration, in order to screen him from the condemnation which events must award to him for the part he took in the great Napier controversy, and to justify him for his opinion, given in his final minute, on the condition of the sepoy in 1856. But these are not the only instances in which Mr. Kaye shows how consti-

Digitized by Google

tutionally unfit he is to be the historian of this moving passage in Indian History. He speaks of the sepoy as a man imbued with a 'passion for glory' and with a 'strong sense of military 'pride', whilst no language is too strong to express his sense of the low morality and base instincts of the English soldier. But this is not all. We could point to many passages in which he shows himself afraid to speak out,—to point the logical conclusions at which his mind has arrived. He is, and has been, too closely connected with many of the actors in the great drama, to write of them with impartiality. Hence we have fancy portraits of many men, living and dead. Indiscriminate praise is showered upon people of influence, as well as upon those who are generally regarded with veneration by the Indian public. It is a great, a striking, an irremediable fault of Mr. Kaye, that he endeavours, no matter of whom or on what subject he is writing, to ascertain the tone of the public mind, and, regardless of truth, to write up to that tone. That is the great defect of all Mr. Kaye's works. They appear to be written to order. There is no individuality about them; no impress of the mind of the author. They appear rather to emanate from a machine. Nowhere consequently do we find those distinct and matured opinions which we have a right to look for from one who is supposed to have mastered the subject on which he is writing. There is rather a jumble of the various and varying opinions of the several gentlemen connected with India of whom Mr. Kaye is the mouthpiece. Any corollary to these opinions is, as we have before observed, strictly avoided. The result is most unsatisfactory. The work itself is not a History. As a compilation of opinions and statements as to the causes of the mutiny it is doubtless valuable, and in that sense it will be useful to the future historian of the great Indian Mutiny, and who, we trust, will possess more independence, more impartiality, and a keener sense of the dignity of History, than have been granted to Mr. Kaye.

Digitized by Google

ART. V.—1. *Jounporenámah by Fuqueer Khairooddeen Mahomed Allahabadi; Persian* M. S.

2. *Ferishta's History of Kings of Jounpore, translated by Briggs.*

WERE a new arrival in India plunged into a Mofussil station without a preliminary stewing to indifference in Calcutta, he would wonder much to see how everybody 'doesn't know.' Fresh from a country where every hamlet has its topographical history, and every church its guide book, where the difficulty is not how to get some local guidance so much as how to avoid being nauseated with it, he cannot quite make out how his cousin—a boyish antiquarian who was great on lychnoscopes and hunted long and short work by scent—should care nothing for the date or the builder of the noble mosque, sole ornament of the evil-smelling town, or the tombs or ruined palace which break the drear level of the neighbouring plain. Yet if his lot be cast in one of the few stations distinguished by having a history, he is not much better off. Still everybody 'doesn't know,' but has heard that all events connected with the place are recorded in some manuscript nobody has ever seen. The sporting ground and the doings of the penultimate magistrate are subjects on which all are eloquent; the local history is a sealed book if a man be not content with the vaguenesses of the half educated court moonshees. Patient enquiry discovers the owner of the wished for volume, and though he makes no difficulty in lending it, the cup of knowledge is still hard to drain; it is a cento of Persian historians aggregated without criticism, on a plan which by incessant repetition wearies our student, till he throws the study by in despair, or translates, collates, digests, and rearranges, till he looks proudly on what may lead another to build on his foundation a real history of the favoured city.

Such is the service we would now do to Jounpore, a city interesting from its noble remains, fortunate in being unblest with a mythical antiquity, and in having been already favoured with a native historian. Khairooddeen Mahommed was descended from a family which had migrated from Allahabad to Benares. Having been appointed the second chief magistrate of Benares, he became known to Mr. Welland, and, having at his instigation written the Bulwuntnameh, accompanied him, just appointed to the new magistracy of Jounpore, to his new station. Whether our chronicler was indebted for his education to the schools of

Digitized by Google

Jounpore is not clear, but as soon as his patron's intelligent curiosity led to enquiries touching the noble remains of his new charge, Fuqueer Mahommed volunteered such an account as should set curiosity at rest. The fruit of his labour was the work which forms the back-bone—so to say—of the present article.

Although more than one edition of his chronicle exist, they are alike in a point of contrast with other native books,—the absence of all parade of learning. Indeed, it is not easy to guess the authors on whom he probably depends. He names but two works, Miratool Asrar and Towareekh Moomyimi, and those in a way suggesting that their use was exceptional; he was apparently without access to Ferishtah, as several facts mentioned even in that early edition which Colonel Briggs translated are not found in our chronicle; while on the other hand so many particulars are given of the foundation of the different buildings, and of their history down to the middle of the sixteenth century, that one cannot but suspect him to have had at hand a guide book of some antiquity. In the following pages however we have preferred building our history on Ferishta, partly as accessible, through the labour of Colonel Briggs,* to the ordinary reader, and partly because his acknowledged authority may make the tale more acceptable.

Enough has been said as preface. Nor shall we loiter long over the pre-historic ages. Though consideration of the legends, and the present distribution, of clans might give matter for a theory as to the importance, and direction, of each wave of the conquest which by degrees swept the aborigines from the land, yet it would be but a theory, and the so long desired work of Sir Henry Elliott, which is now said to be passing through the press, makes such an attempt a folly. Thus much, however, may be written boldly, that in the earliest times the region of Jounpore was held by the Bhurs, that aboriginal people of whose civilization we catch glimpses by no means suiting our idea of them as derived from the sight of their outcast descendants. Yet what trace they have left of their long occupation it is hard to say. Along Burna bank are the sites of large cities, destroyed by fire, perhaps when Brahminism won its final victories; on Goomti bank stood vast temples which perished in the first inroad of the Mussulman; but what founders, and what antiquity, these cities and temples boasted none can now say.

Yet a local legend gives a hint of one stage of the great conflict, when the aborigines were falling, yet not wholly subdued.

* It will be convenient in a note at this point to explain somewhat more fully the shape in which our chief authority the Jounporenamah is found.

Digitized by Google

'When the great Ramchunder ruled in Ajooddhia, there dwelt, 'in the nook of Goomti where now Jounpore stands, the giant 'demon Kerar.* And, whereas the highways were unsafe by reason 'of his violence, Ramchunder in person marched against him, and 'having vanquished him in single combat, left the giant's trunk 'lying as a memorial and a warning, but flung his limbs and 'head to the corners of heaven. Yet over the trunk the de-'mon's followers built a temple, there paying divine honours to 'their lost lord.' Thus the legend; but we, translating it, suspect the truth to be that in some battle here the Bhur hero fell before the might of the invader, and the honour his sorrowing clansmen paid to his remains in time so impressed his enemies, that they, giving a different reason, in time paid the same worship.

According to the original plan this work was to have been in four parts, the first being a history of the rulers of Jounpore, and the second of the buildings, while the third was to give the names, areas, and population of the Mohullas, with the names of their founders, and the fourth was merely to be a distance table. With this fourth part we have never met; the third is not part of that early edition which seems really to have been presented to Mr. Welland, and is of no value; it may however be noted therefrom that the chronicler calculates the population of the city by allowing five head to each house. Of the remaining two parts are two editions, the earlier that presented to Mr. Welland, containing certain particulars about works near the town and certain proposals touching the restoration of existing remains which are wanting in the later; and the later, to which only the contributor to Thornton's Gazetteer seems to have had access. To the copy of the latter which we have used is appended a kind of notebook of information which doubtless would have been absorbed in a latter edition; several authors are quoted as well as some facts which the chronicler might have learnt from eye witnesses. The Bulwuntnameh should have told much of the state of Jounpore in the latter half of last century; it is little more fertile than the early Regulations.

* Feroz found here a temple dedicated to Kerarbeer within the lands of Mouzah Kerara. The Hindoos named the new fort Kerarkot, and the ground adjoining to the north is still known as Mohulla Kerara. An equally probable interpretation of the myth is that Kerar names, not a single hero, but a clan of Bhurs. Elliott names Kerar as a still existing Bhur state. Kerakut, the eastern pergunnah of Jounpore, may be by some thought to derive its name *(quasi* Kerarkot) from the same clan. Still under the southern wall of the fort is the shrine of Kerarbeer partly covered by the stones of the fallen wall, but still the scene of worship whose offerings are supposed to be some Rs. 20 or Rs. 25 a month, a sum probably doubled for a few days after the failure of the first mine which was to blow up that corner of the fort, for, somewhat to the annoyance of the engineer, the natives said that Kerar was stronger than the English powder. The object worshipped is a large stone bearing a rude resemblance to the upper part of a human trunk, smeared thickly with turmeric and the like, so that it is impossible to say what kind of stone it may be.

Digitized by Google

Then for ages we have not even the light of a myth. Mr. Ommaney indeed found in Bundelcund an inscription which spoke of a Yavanapura on the Goomti, and this he identified with Jounpore. In this he was certainly wrong, for there can have been no town of any size here when Salar Masaud Ghazi destroyed the temples of that ancient town to which, three centuries later, was given the new name of Zuffrabad; but as the ancient name of the (Ratagurh) fort only of that city has been preserved, the inscription may refer to it. Buddhism seems to have been strong here, for the temples remaining even to the Mussulman period were undoubtedly Buddhist, and of sufficient magnificence not only to furnish materials for the conquerors' mosques, but supply models even for the details of their decoration. For miles in the southern corner of the district, between the brooks Bussohie and Burna, are found the sites of cities destroyed by fire, of whose former grandeur the peasant will tell, though now but scant traces, yet those Buddhists are left of them. But as the dawn of our present history draws on, we find the country subject to the princes of Benares, as in mythic times it seems to have been to those of Ajooddhia; and with Benares it fell finally under the sceptre of the Mussulman when Shahabuddin defeated Jyechundra. Not that Shahabuddin was probably the first general of his faith who had triumphed so far to the eastward. Of the terrible Mahmud, indeed, no march farther east than Kalinjer is recorded, and we may be sure that, had he taken Benares, history would not have been silent, and Shahabuddin's 4,000 camel loads of spoil would have graced an earlier triumph. But the fame of such a city cannot but have reached the great iconoclast's ears, and nothing is more probable than that he would send forth such a force as he could spare to lay waste the lands of the idolaters. Therefore we yield ready credence to the tale of those historians whom our chronicle follows, and say that Salar Masaud Ghazi, sister's son to Mahmood, starting from Kunouj, overran much of the country north of Ganges, carrying his ravages to the gates of Benares, and destroying the temples of Zuffrabad, before meeting his death, in the prime of youth, in battle with the infidel at Behraich.

But we are travelling beyond the record. Salar Masaud Ghazi is a personage little more historical than Ramchunder himself, and the temples of Zuffrabad may have been among the thousand Shahabuddin boasted he had overthrown. But whatever the date of their overthrow, that probably is the date of the first foundation of Jounpore. The prince who dwelt in Ratagurh, sickened with the desolation round his walls, built

Digitized by Google

for himself a palace and temples a few miles to the west, on a spot somewhat more secluded, on the north bank of Goomti and near the old temple of Kerarbeer. In the two centuries and a half which elapsed between the conquest by Shahabuddin and the accession of Feroz Shah, many fine buildings had risen in the new city, untroubled by wars, or by the Mussulman occupants of the mother city, which by degrees was passing wholly into the hands of the invaders. In the reign of Alauddin, about the beginning of the fourteenth century of our era, and the seventh of the Mussulman, one Sheikh Booddhun converted* into a mosque, still standing, the only temple former ravagers had spared; and, but few years later here died, and here was buried the local 'Light of Hindostan,' whose still extant tomb was built by Zufur Khan, the new founder of Zuffrabad, and apparently the first Governor of Jounpore.

As there was frequent intercourse between the court Delhi and the semi-independent princes of Lukhnowty, and as the main road, crossing Ganges at some ford not far west of the present city of Furruckabad, ran through Zuffrabad and Benares, many armed and many peaceful parties of Mussulmans had visited the place between the plundering foray of Shahabuddin, and that long halt of Feroz in which was founded the present city of Joun-

* As Fergusson seems convinced that nowhere have the Mussulmans appropriated a Buddhist building without reconstruction, it seems somewhat bold to assert that a building which he possibly visited is an exception. But, when treating of the Atala musjid, he gives, as the sole reason for his thinking that reconstructed, that certain conspicuous parts are undoubtedly Saracemi. But at Zuffrabad there are no such parts. The roof is flat, and the interior is a hall eighteen feet high, nine bays deep (from east to west) and seven broad (from north to south). The outer ranges of columns are double, and plain walls close the spaces between the outmost. The square pillars are somewhat irregularly placed towards the western sides; the aisle running from the door to qibleh is eight feet six inches broad, the others six feet six inches; the greater breadth of this centre aisle is the only thing about the place suggestive of Mussulman interference in its construction for the arch which once finished the front may have been, and probably was, added even after the Jounpore mosques were built. The real date of Sheikh Boddhun's interference cannot be told with accuracy; the stone on which his dedication was carved fell from the front and is lost, but the inscription is said to have given a verse from which certain words were picked to give the date A. H. 651, but Alauddin Khilji, is said to have been named as the then ruler, and his accession dates half a century later Syhruff Jehangir, a foreign saint who died here in the autumn of 1397, had lodged in this mosque. The Zufur Khan mentioned below was probably Zufur Khan Farsy, who, coming from Sonargam in Bengal two years before that inroad in which Jounpore was founded, was made Naib Wuzeer, and twenty years later Wuzeer; he betrayed his master and disappears suddenly. But Ferishta names several others and gets confused among them.

Digitized by Google

pore. Indeed that was, perhaps, not a first visit even to Feroz, for when in 1355 he marched against Haji Elias of Lukhnowty, who had extended his kingdom westward even to the gates of Benares, he probably passed through Zuffrabad at least on his homeward march. But when (*A. D. 1359) he was moving against the successor of his old rival, he was overtaken by the rains in Zuffrabad, and there halted till autumn. Something is recorded of the business which occupied the king at this place. First, he despatched an embassy to the prince against whom he was marching, but, though the envoy sent, in return brought rich presents, among which are mentioned five elephants, an offering which the custom of those and later times seems to have considered a confession of inferiority, the weather only delayed the king's march. Next, he received a second embassy from the Khalif of Egypt; the ambassador chosen was a strange one, for he was an old rival, and his banishment was almost the first act of Feroz, when he felt himself firmly seated on the throne; the former offences, however, of the subject were cloaked by the dignity of the ambassador, and Sheikzada Bostanny was graciously received and honoured with the title of Azimool-moolk. Further in the camp was prince Futteh Khan, then a child of seven, that eldest and best beloved son, whose death fifteen years later plunged Feroz into such uncontrollable grief, and the empire into so severe troubles. At this time the father was thinking much of his son's training, and though, in the next season's march, his fondness conferred on the child the ensigns of royalty, his care at the same time appointed proper tutors for his education.

The idea of founding a city in the neighbourhood which might form a proper basis of operation for future campaigns was probably conceived at this time; for though his march was

* Though there can be no real doubt as to the chronology, it is not wholly undisputed. The chronoicler first speaks vaguely, but as assuming the place to have been founded by Feroz about A. H. 760 (A. D. 1359); in another place he gives the date plainly as A. H. 772, but says it is recorded by *Abjud* in the words Shuhur Jounpore, which give the year 770. Ferishta speaks of the halt at Zuffrabad on the eastward march in 760, and at 'Zuffrabad and Jounpore' on the return in 761; the 'Jehanara' says that Feroz founded the city on his eastward march, the chronicler and Tareekh Mahommedi (the latter giving the date A. H. 775) on his return. But for this direct assertion one would have inclined to give the work to the eastward march; the 'Jehanara,' says the king, had marched by Beraich, perhaps confusing his two attacks on Bengal, for in the former he received the homage of the Zemindars of Gorukpore. Jyechund seems to have dispossessed of Ratagurh in 1359, so the claims of the two years 1359 and 1360 are pretty equally balanced. The plan may have been adopted in the former, and carried out in the latter.

Digitized by Google

almost unopposed, and Sikundur Shah lost no time in making terms, Feroz, marching back to Zuffrabad, deliberately halted for another season. Leaving the widespread ruins of the old city, he found at a little distance to the west, but on the other bank of Goomti, a thriving town built by those who had left their ancient homes, and brought their gods to a more sheltered spot. This city he determined to enlarge and name after himself, and though some dream, it is said, made his predecessor, Mullik Joona, who had reigned as Mahomed Toghluk, the epodnymic hero of Jounpore, Feroz did not change his other plans of giving to the new city all that could make it pleasant or famous.

One morning, then, in April 1360, Feroz rode over from Zuffrabad, attended perhaps by Jyechund, a Rajpoot prince, who seems to have been at that time dispossessed of Ratagurh, the fort of Zuffrabad, and compelled to take up his residence in his father's palace in Jounpore. At the end of his journey he found a thriving town extending for some miles along the northern bank of Goomti, and boasting four large temples, two at least conspicuous both for size and costliness, a palace, and a tank of cut stone the main body of which was a quarter of a mile square. The two chief temples first attracted the king's notice, but, though the people looked on and worked patiently while he threw down the temple of Kerarbeer, cast up a mound on its site, and built on it, and round it, a fort with stones fetched from the ruined temples of Zuffrabad, an attempt to desecrate the temple of Atal Devi met with so fierce resistance that, after much bloodshed, Feroz was compelled to make a compromise, and give a written undertaking that the other temples should be left untouched and Hindoo worship tolerated, stipulating only that the temple of Atal Devi be left unrestored, and, perhaps, unused. The return of the cold season brought other labours to Feroz, and, appointing Zufur Khan to the charge of the frontier provinces, he left the city Jounpore for the first and last time. Still, we are told, he bore his child in fond remembrance, and took care to settle here men both of learning and wealth. But few particulars can be recorded; Zufur Khan is remembered solely as having, in this very year, built the tomb of the local saint, a plain Pathan tomb, with squat pillars supporting a square dome; and if we add that, when, in 1376, Governors were appointed to divers provinces, 'Jounpore and Zuffrabad,' fell to Mullik Behroz, we have told all that concerns Jounpore before, on 23rd October 1388, died Feroz her founder, a prince who with Shere Shah, her most famous *alumnus*, contests with Akber, the founder of the city whose

Digitized by Google

growth was her destruction, the glory of being the greatest prince on the roll of Indian kings.

The short and troubled reigns which fill the space between the death of Feroz and the accession of Muhmood Toghluk on the 5th April 1394, contain nothing to interest the historian of Jounpore, but the tale of the gradual rise of Khwaja Jehan, the first independent prince of Jounpore. This noble, by name Mulik Surwur, was an eunuch, given by Salar Rujub to his grandson Mahomed; in the household of this prince he rose to be Khwaja Sara (chief eunuch), and comptroller of the elephant stables, and following his master's fortunes through all his troubles, was, on his temporary success in A. D. 1389, rewarded with the title of Khwaja Jehan and the office of Wuzeer. The ability of a rival, in the following year, having given Mahomed a stronger hold on the throne, the prince rewarded his new supporter with Khwaja Jehan's office; but on the fall of the new wuzeer in the course of the next year, Khwaja Jehan, on whose head his rival's blood is thought to rest, regained his office, and retained it till, in March 1394, he was sent by Muhmood Toghluk, with the title of Mullik oos Shirq, to govern the frontier provinces of the East. Years before his notice had been attracted by the childish beauty of Mullik Wasil,* the son of Kerunful, a slave and water-bearer of Feroz; and having adopted and carefully educated the child, he took him, now in the prime of life, with all his brothers, to his new government.

The charge of the Mullik oos Shirq was far more important, as his title was higher, than that of former Governors. Mullik Behroz had 'Jounpore and Zuffrabad' with such provinces to the eastward as were held neither by petty chiefs nor the lords of Lukhnowty; to this were added the lower Doab, and the provinces on the left bank of Ganges which, at the earlier appointment, had been assigned to other hands. There was no question of the success of his administration. Forts which had fallen into the hands of the infidel, provinces which had revolted, again owned the supremacy of Delhi; and Khwaja Jehan, amid his peaceful labours in Bijaychund's palace in Jounpore, was perpetually cheered by news of the triumphs of his adopted son,

* Ferishtah and Abulfazl agree that Kerunfool was the name of the child, not of his father There is perhaps no good reason for following the Tareekh-i-Mahomed, as we have done in the text; but the author of the last named work gives details instead of letting the adopted son appear only when the throne was vacant. It is worth while to mention here that, in the very few lines Abulfazl gives to the reign of Ibrahim, he mentions the defeat and punishment of the rebellion of one Kerunfool, possibly the father of Ibrahim, and so nearer of kin to the former prince.

Digitized by Google

triumphs the fruit of which he fully enjoyed when, Timour having driven the Toghluks from Delhi, he felt able to proclaim his independence, and to reign with undisputed sovereignty over the rich provinces which lie between the Himalayan Terai and the Jumna, from Koel and Rabiri even to Tirhoot and Behar. It cannot, of course, be said that his authority was as powerful in the half conquered Goruckpore or the distant Tirhoot as at his palace gates in Jounpore; the power of a native prince varies inversely as the distance from which it is exercised, and the Hindoo Rays, who, from the huge fort of Etawah, looked down on the ravines of Jumna, may well have been like the Percies of the Scottish marches. Yet when the kings of Lukhnowty, who had faced Feroz, and had exchanged embassies and made treaties with the kings of Delhi, paid the tribute due to Delhi to the new prince at Jounpore, we may be sure that his titles of 'Sooltan oos Shirq Atabook Azim' were no empty vaunts, and that his successor found the power he had helped to raise no sceptre of reed. Khwaja Jehan had made his adopted son his deputy with the title of Mulik oos Shirq, and he, again, had given the command of the fort and city to his brother Ibrahim. So, whether or not the heir was present in Jounpore, in the former half of 1400, when Khwaja Jehan died, or was absent on such an expedition as that which, in the spring of 1396, had made the princes of Bengal pay tribute, his interests were well looked after, and his succession was undisputed. But the stupor of exhaustion which had followed Timour's departure from Delhi was by this time passing away, and Mulloo Yekbal Khan, who was ruling in Delhi under cover of Muhmood Toghluk's name, fell strong enough to resent the boldness of the new prince in assuming the regal canopy, coining money, and being publicly prayed for as 'Mobarik Shah Shurkey.' But, first, in the winter of 1400-01, Mulloo Yekbal subdued Shumsh Khan of Byana and levied contributions in Kutehir, and afterwards, apparently late in the hot season, marched from Delhi, supported by the forces of Shumsh Khan and Mobarik Mewatty, against Mobarik. At Putiali the allies were vainly opposed by the Ray of Mynpoorie, but Mobarik seems not to have crossed Ganges, and to have borne the loss of Kunouj without resistance. The swollen river was probably the cause of this patience, and the same obstacle kept the two armies facing one another on opposite banks for two months, neither daring, or being able, to force a passage, till want of supplies compelled both to retreat. But Muhmood Toghluk at this time returning from Goozrat, Mulloo Yekbal resolved to try whether the presence of the Emperor would do more than his name, and Mobarik, taking up his old

Digitized by Google

position on the left bank of Ganges, died there in the autumn of the same year, while waiting for his enemies to appear.

The vacant throne was at once filled by Mobarik's younger brother Ibrahim, with the title of Shamsuddin Ibrahim Shah Shurkey, a prince of varied talents, whose long reign is the most glorious in the short annals of Jounpore. As soon as the great news of his brother's death reached him, he hurried to the army on the Ganges, where an event soon occurred which tried all his skill in kingcraft. Muhmood Toghluk had showed no ability in the years before Timour's invasion when he was, at least in name, supreme, and his hurried flight to the court and contemptuous hospitality of the Governor of Goozrat had not raised his reputation. When weary of this retirement, he returned to Delhi, at the invitation, or by the permission, of Yekbal Khan, to be the puppet and pensioner of a man ruling in his name; and when now brought face to face with the army of Jounpore, to try whether the magic of his name and ancestry would shake its allegiance, and make easy his tyrant's victory, he conceived the vain hope that, were he once within the lines of the enemy, the new prince might abdicate in his favour, or at all events free him from his bondage to Yekbal. But, though Ibrahim was young both in years and in power, he was far too able to be a pawn in any man's game; and when Muhmood took advantage of a hunting party to escape from Yekbal's hands, he was received with great reserve by the Shurkey prince, being even, according to some writers, denied fire and water. Covered with disgrace he returned to the Delhi army, but was suffered to take possession of Kunouj and administer it himself; the more readily, no doubt, that it was debatable ground, for, even when wresting it from Mobarik, Yekbal had been compelled to leave the government to the person appointed by Mobarik's predecessor. Leaving Muhmood in quiet possession, the two armies moved to their respective head-quarters, and so ended the first war between Delhi and Jounpore.

Yekbal Khan fell, on 18th November 1405, in an attack, made in conjunction with Briram Khan, another Governor and quondam slave of Feroz, on Khizr Khan, Timour's deputy in the Punjab; and the officers left in command at Delhi invited Muhmood to return. He went with a small retinue to take possession, but speedily returned to Kunouj. In the autumn of the following year Ibrahim marched to recover the place, and the armies took up their accustomed stations on the opposite banks; but after long halting and slight skirmishing, Ibrahim marched back to Jounpore. The slothful Muhmood, too, presently retired to Delhi, greatly to the disgust of his army which either

Digitized by Google

deserted him or was disbanded. As soon as this news reached his rival, he again put his army in motion, took Kunouj after a siege of four months, and having halted there for the rainy season of 1407, and then being joined by many of Muhmood's nobles, made inroads on the territories of Delhi. Of Birun he made Mullik Meer Zeea Governor, and Tartar Khan of Sumbhul, but when he had already reached the banks of the Jumna and was about to attack Delhi itself, he heard that Mozuffer Shah of Goozrat, having subdued Hoshung Shah of Malwa, was marching to the support of Muhmood, or to attack Jounpore. To secure his capital, therefore, he retreated, and straightway (April 1408) Muhmood captured Birun by assault, killing Ibrahim's Governor, drove Tartar Khan of Sumbhul to Kunouj, and appointed Asud Khan Governor of Sumbhul on his own part. Kunouj remained the frontier town of Jounpore till the death of Muhmood, in February 1412, ended the line of Feroz.

After the death of Muhmood, Ibrahim conceived the idea of making himself master of Delhi, and made a few marches thitherwards, but, speedily returning, enjoyed near fifteen years of unbroken peace. His court was a haven of rest for the many learned men driven from less favoured places by the endless contests of the times, and their fame and the noble buildings which still adorn his capital are the enduring glories of his reign. The mosque, pavilions, and baths of the Fort are memorials of his boyish employment as his brother's deputy, but the great Atala Musjid was finished and dedicated in December 1418, and about the same time, probably, those which his nobles built on the sites of the two other great temples named and spared by Feroz. To this long rest, too, may probably be assigned his plan of building a bridge opposite his palace, an idea which none of his successors worked out, and of a second large mosque the building of which was the glory of Hossein's reign, as its dedication was the consolation of his fall. As famous in their time, though nearly forgotten now, were the doctors of his court, to whom doubtless was chiefly due that fame for learning which Jounpore has hardly yet lost, though, through the decay of native learning and waning prosperity of the town, the twenty partly endowed schools which existed even in Mahommed Shah's reign have few traces left. Foremost among them, and founder of the most famous school, was Cazi Shahabeddin, 'one of the most renowned names,' says Abul Fazl, 'for wisdom 'and learning.' Driven from Delhi, with his master Mollana Khojahgee, by the irruption of Timour, he was honourably received by Ibrahim, who loaded him with honours, and to whom he dedicated several works. A rival of the philosopher was the

Digitized by Google

chedint Budeeooddeen Shahmudar, who died in January or Der ember of 1435, (four years before his successful rival) and 3(was laid in a great tomb built for him by Ibrahim at Mukunpore, his general dwelling-place, between Cawnpore and Furruckabad.

The march of Ibrahim towards Delhi, in the winter of 1413, (A. H. 816) had been provoked by the vain desire of Doulut Khan, who for a time filled the throne of Delhi after Muhmood's death, to compel Ibrahim to raise the siege of Calpi, and the speedy countermarch was probably caused by news that Khizr Khan, with his northern levies, had compelled Doulut Khan, after a siege of three months, to abdicate, and had settled himself quietly in the vacant throne. Although the Syud princes were feudal superiors rather than despots like the Moguls, and levied their revenue rather by forays, and as reliefs, than by organized taxation, their power was steadily growing, and Ibrahim did not care to force matters to extremity when opposed to Syud Mobarik in 831.

In that year he was marching against Calpi, when suddenly appeared in his camp Mahommed Khan, the rebel prince of Byana, who, leaving his fort with Syud Mobarik's forces before its walls, had hurried to get help from Ibrahim. Aroused by expresses from Kadir Khan, the vassal ruler of Calpi, and doubtless also warned of the movements of Mahommed Khan, Syud Mobarik marched in person against Ibrahim. The division which Ibrahim had detached, under his brother Mookhlis Khan, to reduce Etawah, was driven back by a force sent from Atraoli; but when the two armies marched in parallel lines from Atraoli and Boorhanabad, Ibrahim reached the Jumna *at a

* Several points need notice in this narrative. Ferishta, after telling of the points at which the two armies struck the river, says that the Delhi army crossed it, and *then* lay for three weeks before the final battle. After the battle Syud Mobarik marched to Gwalior, and the necessary passage of the Jumna has been wrongly said to precede the battle. For neither party had any thing to gain by being on the right bank that he should have attempted so dangerous an operation in the face of a powerful enemy. Each by crossing would expose his capital, but would be no better off for advancing to Calpi or to Byana, even though the nature of the country between the Chumbul and Jumna had not made movement almost impossible. For these reasons we have departed from the text of Ferishta. Another point to be noticed is the name of the brother of Ibrahim who commanded the force against Etawah. He was 'Mookhlis Khan.' Mullik Khalis and Mullik Mookhlis are named by other authors as nobles of Jounpore in high office, and as *chelas* of Feroz; they, too, were the builders of the plainest, and probably the oldest, of the mosques in the Jounpore style; there seems little risk in identifying Mullik Mookhlis with the general Mookhlis Khan. Lastly, it is necessary to say a few words of the result of the battle. Under Delhi, Ferishta says, Ibrahim retreated, leaving the honours of the field to Mobarik; under Jounpore he says that a treaty was first concluded. That Mobarik's

Digitized by Google

point west of Etawah, and so must have been able to make himself master of that important fort. On Jumna bank the two armies lay face to face but a few miles apart for three weeks, till, weary of indecisive skirmishes, on 21st March Shurky prince offered battle. The challenge was accepted, and, from noon till darkness separated the combatants, the battle raged with fury. Both armies lay on the field that night, but the next day, possibly after negotiating a hollow peace and sealing it by a royal marriage, Ibrahim returned to Jounpore.

Another expedition against Calpi was the last active operation of Ibrahim's reign. * In the autumn of 1435 he and Hoshung of Malwa conceived, apparently much at the same time, the plan of occupying Calpi; but when the two armies were facing each other near the place, and a battle was hourly expected, news reached Ibrahim that Syud Mobarik too had heard of his march from Jounpore, and was preparing to attack that city. Unwilling to face the forces of the two kingdoms at once, Ibrahim retreated, and left Hoshung to make himself master of Calpi. His two rivals died in no long time, but Ibrahim never again attempted Calpi, spending the few years left him at home, and dying in the winter of 1440 full of years and honour. 'He was an active and good prince,' says Abul Fazl; 'equally beloved in life, as he was regretted by all his subjects,' says Ferishta, but we should surely except his Hindoo subjects. Able, liberal, a bigoted Mussulman, and a steady, if not a bloody, persecutor, he was a successful ruler and a patron of learning; and though we may agree with Akber that his

daughter was in consequence married to the heir of Jounpore, is a conjecture based on the terms in which Behlol often addressed Beebee Rajey, the wife of Mahmood; but it must be confessed that among the laudations of this able princess, no distinct mention is ever made of her parentage.

* The date of this expedition is a pretty puzzle. Under Jounpore Ferishta fixes it as A. H. 839, under Malwah as 835. Under Delhi he says that Syud Mobarik founded Mobarikabad on 17th Rubbee ool awul 839 (10th Oct. 1435,) and not long after heard of the double attack on Calpi; he had formed his camp before Delhi in readiness to march against Ibrahim, when he was assassinated on 9th Rujub of the same year (28th Jan. 1436.) The accounts of Jounpore and Delhi seem simple and consistent, and irrefutably to fix the date as the late autumn of 1435. But on the other hand there is as much particularity under Malwah. *After* reducing Kalpi Hoshung marched against some marauders, then halted for the rains at his new city of Hoshungabad, and being attacked by a fatal disease there, died a few miles off, on his march to Mandoo his capital, on 9th Zeehuj 835 (7th Sept. 1432.) The comparison of lunar and solar years gives no help, and it is impossible to deny that the Malwah narrative is consistent. We have taken the Delhi date, as the affairs of Malwah concern us too little to cause any confusion. Yet we may note that by Abjud the inscription of Hoshung's tomb should fix his death for 837.

Digitized by Google

dynasty might have built more bridges and fewer mosques, we are certainly not disposed to blame the munificence which erected the Atala Musjid.

Mahmood, eldest son of Ibrahim, succeeded without opposition, and reigned as prosperously as his father for nearly twenty years. Two years after his accession, complaining to the king of Malwa that his vassal of Calpi was neglectful of the laws of Islam, he obtained permission to attack that place; but when he had seized and plundered it, was less attentive to the remonstrances of the suzerain, who was pretty well busied in other quarters. The king of Malwa then moving to restore his vassal A. H. 848, the armies met and skirmished near Eerich; but an attack on Jounpore itself being threatened, Mahmood agreed to a peace, negotiated by a doctor of high repute, (variously recorded as Sheikh Jumalooddeen Sudda and Sheikh Janida,) whereby Calpi and its neighbourhood was, after a short delay, restored to Nusseer, son and successor of Kadir the former ruler. The forces so set free Mahmood employed in extending his power in other quarters, first reducing Chunar and its neighbourhood, afterwards apparently the last possession of his house, and then laying waste and plundering Orissa in a holy war.

Before narrating the events of that attack on Delhi which was Mahmood's first movement after a six years' rest, it is necessary briefly to narrate the rise of the new antagonist and future conqueror of Jounpore. The eventful action between Khizr Khan and the Toghluk was determined in favour of the former by the valour of Mullik Sooltan, an Affghan chief who slew Mullik Yekbal with his own hand. The gratitude of Khizr Khan changed the name of his champion to Islam Khan, and, conferring on him an important government, gave him opportunities of providing for his many brothers. On his father's death in battle, Behlol joined his uncle Islam Khan, with whom he obtained such distinction as to be wedded to his cousin, adopted, and, to the exclusion of legitimate sons, declared his uncle's heir; and after considerable opposition, even Kootub Khan, Islam Khan's son, made his submission, and by his constant fidelity was the chief support of Behlol's power. Profiting by the growing weakness of Syud Mahommed, Behlol, Ibrahim Shah Shurky, and Mahmood Khiljy of Malwa annexed more and more of the Delhi territory; but when, in the year of Ibrahim's death, the Khiljy marched to the gates of Delhi, Syud Mahommed implored Behlol's help, and though, in spite of a treaty concluded between the two emperors, Behlol plundered the retreating Khiljy, Syud Mahommed could not punish his disobedience,

Digitized by Google

but was compelled publicly to adopt him as a son. On the accession of Allahooddeen, Behlol abstained from taking the oath of allegiance, but followed the imperial standard in an attack on Byana in 850, whence the weak emperor retreated in haste on the mere rumour of the Shurky prince's planning a march on Delhi. The fancy Allahooddeen now took for the retirement of Budaon favoured Behlol's designs on Delhi, and accordingly, after two attacks, he captured and established himself in that city, A. H. 854, with the full consent of Allahooddeen who, 'by reason 'of the adoption of Syud Mahommed, regarded Behlol as a bro-'ther,' and only asked to be left quiet in Budaon. Two years later, in the spring of 1452, when Bayezid was in command at Delhi, his father Behlol being absent warring in the Punjab, Mahmood Shah Shurky, aided by Duria Khan Lody, governor of Sumbhul, laid siege to Delhi, but the hurried return of Behlol from the northward, and the questionable fidelity of Duria Khan, made the invader plan a retreat. This, however, was delayed so long that something like a pitched battle occurred between the forces of Behlol and a strong division of Mahmood's army under Futteh Khan, a native of Herat. An elephant belonging to the latter being wounded by an arrow of Kootub Khan, then apparently, as often afterwards, commanding for his cousin Behlol, the line was broken, and Kootub Khan, finding opportunity to reproach Duria Khan, the latter deserted his new allegiance, and Mahmood's forces were utterly defeated with the loss of seven war elephants, much baggage, and of Futteh Khan. Again a few years of peace occurred, till, A. H. 861, in the winter of 1456-7, Behlol marched against Etawah, and Mahmood, at the instigation of Joona Khan, who had been made governor of Shumshabad on deserting Behlol, hastened to oppose him. After lying face to face for a short time the princes made terms and respectively retreated; the country was to be divided as in Syud Mobarik's time, Futteh Khan's elephants were to be given up, and Joona Khan expelled from the territories of Jounpore. But after the treaty was concluded and both armies had marched away, Behlol became too impatient to wait till the autumn should make him peacefully master of Shumshabad, and surprised and occupied it; and Mahmood, hurrying back in wrath, was taken ill and died in his camp near Shumshabad, the very morning after a night attack on his camp wherein Kootub Khan, cousin and brother-in-law of Behlol, and commandant of the attacking column, was taken prisoner.

The only remaining work of the reign of Mahmood Shah Shurky is the mosque, called Lall Durwaza, built by Beebee Rajey, his queen, as a dependency of her palace without the walls and en-

Digitized by Google

dowed as a school. Of the palace from whose 'high gate painted 'with vermillion' the present name of the mosque is derived, no trace is left; it was destroyed by Sicunder in his rage at the ingratitude of Hossein. This same Beebee Rajey, who was perhaps a daughter of Syud Mobarik of Delhi, seems to have been a woman of energy and ability, and in the short reign of her son are found many proofs of her influence. For to begin with, though Ferishta speaks of Bheekun Khan, Mahmood's successor under the name of Mahommed, as the eldest son of the deceased, allusions by the chronicler seem to show that his right to the throne was questioned. Still he was in camp with his father, and Beebee Rajey managed to seat him on the throne, and then negotiated with Behlol, who had drawn up his army in battle array before news of Mahmood's death reached him, a treaty in the same terms as that of the preceding summer. The two princes then marched homeward, Mahommed Shah, with his prisoner Kootub Khan, to disgust all at Jounpore by his cruelty and irritable temper, wherefrom the dowager queen was the heaviest sufferer, and Behlol to find the gates of Delhi shut in his face, and to receive a message from Shumsh Khatoon his wife that, if he meant to sit at home while her brother was a captive, he had better sit in the zenana while she led his army. Stung by this scornful message he retraced his steps, but Mahommed Shah had been so much more rapid in his movements that Behlol found Raikurun his governor expelled from Shumshabad, and his enemy Joona Khan reinstalled by Mahommed Shah. In camp with the Shurky prince were his younger brothers Hossein and Julal; but Hussun, the elder and his rival, had stayed behind in Jounpore, (whereof perhaps he had been governor while Mahommed was in the field with their father,) and sorely troubled the king's mind with fear of treachery. In vain were orders sent that both the prince Hussun and the prisoner Kootub Khan should be put to death; the kotwal replied that Beebee Rajey guarded them too carefully; and so, by inviting his mother to camp to consult about an appanage for Hussun, Mahommed cleared the way for his jealousy and his own fall. Before Beebee Rajey had arrived at Kunowj, news of her son's murder reached her; and while she stayed mourning at that city, her other sons took alarm, and Hossein managed to be detached with a strong force to intercept a pretended attack of Behlol. Before Behlol's forces Hossein retreated quickly to Kunowj to be received with open arms by his mother. Julal Khan attempting to join Hossein was captured by Behlol. Mahommed Shah, alarmed at these defections, also retreated on Kunowj, to find that Hossein had assumed the ensigns of royalty,

Digitized by Google

and had all his army drawn up to oppose his brother. * Deserted by all his officers the unfortunate Mahommed had to fly, but the same valour which had made Purtap Singh of Mynpoorie think it safer to face Behlol than Mahommed Shah, would have made him a dangerous foe, but that Beebee Rajey bribed his armour-bearer to break off the points of his arrows, so that he fell by treachery in an orchard after a short reign of five months.

After punishing those officers who had seemed unfavourable to his cause, Hossein marched against Behlol; but a truce for four years, ratified by the exchange of Kootoob Khan for prince Julal, was agreed on, each party keeping his own possessions; and to this truce we may probably assign that marriage of Hossein to Beebee Khonza,† daughter of Allahooddeen, ex-king of Delhi and still king of Budaon, which had consequences so fatal for the eastern kingdom. The four years' truce gave time for an expedition to Orissa which greatly increased Hossein's wealth and fame. Mobarik Khan, of Boorhanabad, fearing the power with Behlol of his rival Duria Khan, long governor of Sumbhul, and one of the most powerful vassals of Delhi, took refuge with Hossein. The vassal princes of the central Doab, always wavering, were so far favourable to Hossein as to throw no obstacles in his way when after exacting tribute from the Ray of Gwalior, in the winter of 1470-1, he advanced on Delhi. Behlol hurried back from the Punjab, and, leaving Delhi in the charge of his faithful cousin, met Hossein's army on the Jumna not far east of Agra. After a week's skir-

* The chronicler gives a very different account. After recording Mahommed's attempt on his brother's life, but saying nothing of its success, he tells how Mahommed Shah's *son* Julal was taken prisoner in battle by Behlol, that in great distress Mahommed fled in disguise leaving his camp to the conqueror, and that in wrath at his cowardice Beebee Rajey had him pursued and slain. Ferishta's account is as probable and more circumstantial. It is worth noting that from this point the dates given under Jounpore and Delhi cannot be reconciled, those under Jounpore being five years earlier than those under Delhi; the events of Mahommed's reign certainly seem to have come in quick succession, and may well have occurred in the five months Ferishta assigns, but the 'Ahwalat Jounpore wuh Sultan Hindustan' gives five years as the period.

† Other writers give the name of Hossein's consort as Mulika Jehan, and make her the daughter of Syud Mobarik, and so aunt of Allahooddeen. The difference of names causes no difficulty at all, but Ferishta's statement of her relationship to Allahooddeen is far the more probable. Hossein must have been a very young man at this time, for he died forty-three years later; a daughter of a man who had died twenty-three years before would hardly have been thought a fit bride. Whoever she was, she was a very firebrand, always pining for the magnificence of Delhi, known to her only by hearsay, and dangling before her husband's eyes the glory of being sole lord of Hindoostan.

Digitized by Google

mishing a three year's truce was made; and at the end of that time Hossein besieged and took the fort of Etawah, and gaining over the border vassals (he of Biana even using Hossein's name in the public prayers) marched on Delhi, but after some indecisive skirmishes made a new truce and retired, only to indulge himself in the same amusement a few months later.

The last named futile expedition must have taken place about the end of 1474, and was the last which left Jounpore still a worthy rival of Delhi. For the short peace which now ensued was the last. In the autumn of 1477 Beebee Rajey died at Etawah, and Kootub Khan of Raberi, coming with the Rajah of Gwalior on a visit of condolence, by way of making his court to Hossein, spoke disparagingly of Behlol and volunteered to support his host's claims to Delhi; but, having taken leave, he hurried to Delhi with stories, Hossein's designs, and his own secret flight. From this moment both sides prepared for war. In the summer of the next year the ex-king Alaooddeen died at Budaon, and Hossein, after performing the funeral ceremonies, also seized the territory to the prejudice of his brothers-in-law. Marching thence he occupied Sumbhul, imprisoning Mobarik Khan. who had returned to his former allegiance and succeeded his rival Duria Khan in the government of that province, and marched on to Delhi. Again Behlol hurried back from Sirhind, and, after Hossein had had the better of several skirmishes, a treaty was negotiated through Kootub Khan, Behlol's cousin, whereby the Upper Doab was assigned to Behlol, but all lands east of Ganges to Hossein. But as the latter was marching homewards, Behlol attacked his rear, killed great numbers of his men, captured many officers of rank with some treasure and equipage, and occupied the pergunnahs from Coel to Shumshabad. Hossein at once gave battle, and after an indecisive combat a peace was again patched up, Dopamow being made the common boundary. But Hossein could not forgive Behlol's perfidy, and again waged war, now with continued ill success. Defeated in an obstinate battle with the loss of his baggage, he retired on Raperi; driven thence he moved to Gwalior, and having been anew furnished with money and stores by the Raja, marched on Calpi. Mean time Behlol had compelled Hossein's brother Ibrahim to surrender Etawah, and moved to meet his enemy at Calpi. After some time he discovered a ford, crossed the Jumna and defeated Hossein, and after one last battle near Kunowj Hossein had to fly on foot, even his seraglio falling into the hands of the victor. After recruiting his army, Behlol advanced without

Digitized by Google

further check to Jounpore, so that the kingdom fell in the same year which had seen it attain its greatest extent.

Although the advances Behlol had made on different occasions, professing his attachment to the dynasty he had supplanted, with which Hossein was connected by marriage if not by descent, or asking only to be let alone, were probably such artifices as he had found successful in gaining him the throne, he was no ungenerous victor. He allowed Hossein to reside at Jounpore and finish the great mosque, and to retain possession of a tract of country, probably round Chunar, yielding five * lacs a year. Having appointed Mobarik Khan Lohany governor of Jounpore, and stationed his faithful cousin Kootub Khan at Bisowli, near Budaon, as Governor-general and Commander-in-Chief, Behlol halted for a time at Budaon. The value of Kootub Khan's fidelity was now strikingly manifested, for on his death at this time his many friends prepared for revolt. Among them was Mobarik Khan, and Hossein vainly hoped in the confusion to recover his old kingdom; but Behlol without delay marched to Jounpore, made his eldest surviving son, Barbik, viceroy, and drove Hossein away, yet still charged Barbik not to interfere with him in his estates. In no long time, the growing infirmities of his great age made Behlol anxious finally to settle his affairs. Declaring Nizam his successor, and conferring on him the government of Delhi and the Upper Doab, he took pains to secure his favourite from the hostility of his grand son Azim Homayoon and his son Barbik, (either of whom, according to any European law of succession, had a better claim to the throne,) separating their governments by others assigned to his most trusted officers, and after no long time died in camp in the Central Doab in the summer of 1489.

Having, by following the advice of Kootloogh Khan, the captive ex-wuzeer of Hossein, escaped the dangers which threatened him personally, Nizam ascended the throne under the name of Secunder, and, after subduing nearer and less dangerous rivals, marched against Barbik, who formally refused to do homage, or to read Secunder's name in the public prayers. The governor of Baraitch, cousin of the two rivals, commanded a division of Barbik's army, but being taken in the beginning of the first battle, and received in a flattering manner by Secunder, changed sides with the common facility of the time, and, charging his old friends, made all fear treachery and fly. Barbik's valour could not restore the day, and he fled westward, his son being taken prisoner; but on his surrender, he was reinstated in his govern-

* The author of Mirat ool Alum makes the revenue of these lands five crores of dams, a sum equal to twelve and a half lacs.

Digitized by Google

ment of Jounpore as a check on Hossein, who was still in force in Behar. But Barbik was too weak for his work, and in the spring of 1492 Secunder had scarcely reached Delhi, after long and successful campaigns, when he received news of a dangerous revolt in the old kingdom of Jounpore. Barbik had fled to Baraitch, Mobarik Khan of Kurrah had been taken prisoner, and his brother, who also held a government of some importance, killed. But the march of Secunder soon caused the release of Mobarik Khan and the return of Barbik; and, the rebels having been defeated at Katgur, Barbik was again reinstalled. But even the near neighbourhood of the emperor could not ensure Barbik's good conduct, or make his subjects bear his tyranny; for in less than a month, while Secunder was still marching about, there was another outbreak, and then Barbik was committed to safe custody, and his government entrusted to Jumal Khan, the first patron of Sheer Shah. In the winter of the same year the emperor made a reconnoissance of Chunar, still in the possession of Hossein; but, though he repulsed a sally of the garrison, he doubted his power to capture so strong a place, and marched along the right bank of the Ganges, receiving on his way the submission of the Guhurwar Raja of Kuntit. In the winter of 1494-5 he again marched to the south and east, but being overtaken by the rains fell back on Jounpore for supplies, after losing, from natural causes, most of his cavalry. Hereupon Nursing Roy of Kuntit sent word to Hossein in Behar of the crippled state of his enemy; but Secunder had no sooner heard of Hossein's movement than he hurried to meet him, and defeated him in a great battle some two marches from Benares, on the right bank of the Ganges. Hossein fled to the court of Gour, was there courteously received, and died in obscurity just five years later.

Having subdued Behar, and exacted tribute from the Raja of Tirhoot, Secunder returned to Jounpore, determined to leave no sign or trace that the hated family of Hossein had ever existed. The great palace on the banks of Goomti, that of Beebee Rajey without the walls, the dower-house and burial-place under the shadow of the great mosque, were all razed to the ground; and the utmost influence of the doctors of the law could scarcely save the mosques from utter destruction. The nobles of the court were encouraged to use these palaces as quarries, and the prolonged residence of Secunder, who seems to have made this place his head-quarters till after the death of Hossein, was as little favourable to the place as the notion* of his son Julal, the new governor, that it was less

* This notion may have been in part the consequence of the famine and earthquake wherewith the city is said to have ben visited about this time.

Digitized by Google

healthy than another site which took his fancy some eight miles to the south-east, on the right bank of the Sie, where he and his nobles built palaces of which no trace is left, and the first of the three fine bridges which are still glories of Jounpore.

Secunder died on December 14th, 1517, and the liberality of his eldest son and successor Ibrahim soon so disgusted his nobles that they conspired against him with Julal. The latter was at Calpi, which also was under his charge, but he had not reached Jounpore, where he was to be enthroned, when the conspirators changed their minds, and determined to stand by Ibrahim. But Julal thought himself too far committed, and though his friends fell off from him daily, he placed his family in safety at Calpi and marched on Agra. Here the governor amused him with negotiations till Calpi had fallen, and Ibrahim in person was at hand. Julal then fled to Gwalior, but after divers escapes was captured and murdered. His government of Jounpore was entrusted to Duria Khan Lohany, who died shortly before Baber's invasion. His son and successor Bahadoor was chosen leader, and under the title of Sooltan Mahomed proclaimed king, by the Affghans after Ibrahim's defeat and the capture of Agra; and so for a short time again Jounpore was capital of a kingdom which extended from Oude to Behar. But when Homayoon, dry-nursed by Feroz and Mahmood Khan, both old servants of the Lodi house, led the chief part of the Mogul army against the confederates, the latter retired slowly first on Jounpore, then on Behar, and by the end of 1525 Jounpore had for ever ceased to be independent. His short stay in Jounpore Homayoon spent in endeavours to renew its prosperity and ancient glories, even restoring, in some part with the old materials, the buildings which had been quarries for the Julal's new palaces at Julalpore; and when recalled to command in the great war of the next spring, he appointed Jooneid Birlas, governor, with his own two advisers and Kazee Abdool Jubbur as a sort of council of regency. Three years later Babur himself must have visited the place when on his march against Mahmood Khan, king of Behar, but after repulsing that prince he contented himself with a charge to Jooneid to continue the war in conjunction with Julal, ex-king of Jounpore,* and returning to Agra died there on Christmas Eve A. D. 1530.

* This 'Julalooddeen Noosrut Shah Shurky, ex-king of Jounpore,' is about as puzzling a personage as it is easy to find; and, but for the necessity of speaking of the pretended descendants of the ancient princes who still dwell at Jounpore, one would have been tempted to leave out all mention of one who really plays so small a part on our stage. He prepared 'a royal entertainment at Kurrah' for Baber on his eastward march in the winter of 1528-29, and 'was honoured with an audience.' He can therefore hardly be

Digitized by Google

As the great and successful rival of Homayoon was closely connected with Jounpore by many ties, it is necessary briefly to sketch his rise. He was the eldest legitimate son of Hussun

that son of Behlol who was so mature at his father's death forty years before as already to be governor of Calpi; besides no connection of that prince with Jounpore is recorded. Nor can he be Julal, the son of Secunder, who did assume the title of king at Jounpore; for it is distinctly recorded that he was put to death by his brother Ibrahim; and even though he had escaped and had somehow acquired estates and Government in his old appanage of Calpi, he would not have marched in Baber's train against his brother and clansmen in Behar. If we could account for his presence in Kurrah we should say this ex-king was probably Julal Khan, son of the Affghan pretender, Mahomed Shah Lohany, set up at Jounpore after Baber's defeat of Ibrahim Lody: when driven out of Jounpore the same family ruled in Behar, and shortly before the present march, Shere Shah had supplanted this prince, his former pupil, and driven him to Bengal.

But, unfortunately, we have not exhausted the subject, for the chronicler, who has more interest in minutiæ, does not, with Ferishta, make the Shurky dynasty extinct in Hossein, for he gives him a son Jelalooddeen, married to the only child of Nuseeb Shah, king of Gor, whom he succeeded, apparently in Hossein's life time, for he sent Hossein's corpse to Jounpore. Now Hossein certainly is buried at Jounpore, and though Secunder was more employed in the west in the later years of his reign, yet turbulent as his nobles were, large bribes must have been offered before any governor of Jounpore would have let his master's special enemy be solemnly laid in his ancestral tomb, in the house Secunder with such pains had destroyed; the more probable solution would be that at some later time, possibly when the Affghans were strengthening their hands against Baber, Hossein's bones were exhumed and reinterred. But to fit the chronicler's genealogy in at all with Ferishta's, it is necessary to rely much on possible changes of name; Nuseeb Shah must be identified with Allahooddeen Hossein Shah, the king of Gor, with whom Hossein took refuge, who reigned from 1498 to 1521, and was succeeded successively by his sons Nusrut Shah and Mahmud; and these two must be supposed to prove adoptions of his son-in-law Julal and his grand-on. Scarce credible as this may seem, Jounpore was the chief part of the bribe said, by the chronicler, to have been offered to Mahmud Shah of Gor by Humayoon as the price of support against Shir Shah; from Ferishta one would rather have thought Mahmood would have been as much surprised as pleased to recover by his ally's help possession of his late kingdom of Gor. The chronicler adds that Mahmood fell in the great battle wherein Shir Shah overthrew Humayoon, but was supported in his last moments by his generous enemy, who laid him with his fathers in Jounpore, and enriched and protected his family. The heir of the dead man, then a child, was known as Sooltan Hossein, alias Oomur Khan; he used his wealth to restore, in part, the dower house and to decorate and improve the capital of his ancestors. His descendants retained more or less of dignity, but the chronicler gets confused about them about the time of Alumgir. There is no doubt the now occupants of the old house are representatives of Mahmood Shah Poorby; the steps by which the Shurky dynasty became blended with the Poorby are less clear.

The house so often called the dower house is separated but by a lane from the northern cloister of the Juma Musjid. Secunder broke down to the level of the court all the buildings but the cloister in the grave yard; Oomur Khan's repairs made habitable part of the adjoining court. The basement

Digitized by Google

Khan, an Affghan favourite of Jumal Khan, the successor of Barbik in the government of Jounpore. But Hussun so neglected his wife and her sons that Fureed, leaving his father's house at Sasseram, took service under Jumal Khan, refusing to return home on the ground that at the capital he had more opportunities for acquiring learning: and he is said greatly to have profited by these opportunities. When Hussun, three years later, came to Jounpore, Fureed was reconciled to his father, who, wishing to live at Jounpore, made over charge of the jaghir to his son. The father afterwards promised to make Sooliman, a younger son by a concubine, his heir; but on Hussun's death, Fureed obtained the patent from the king, and Sooliman took refuge with Mahomed Khan Soor, a distant relative, governor of the district (not the province) of Jounpore. This noble, failing in an attempt to make Fureed share the administration as well as the property with this brother, became his bitter enemy, and was planning his ruin when Baber's invasion threw everything into confusion. Fureed at once joined the Affghan pretender who was set up at Jounpore, was by him made tutor of his son Julal, and, on an act of conspicuous valour, honoured with the title of Shere Khan. But his old enemy managed to turn the Affghan prince's mind against Shere Khan, who was at last compelled to take refuge with Jooneid Birlas, already governing Kurra, and with his help recovered his old jaghir with other districts, all of which he held of the Moguls. But he had no foolish prejudices for loyalty, and, finding an opportunity, returned to nominal allegiance to Mahomed Shah Lohani, now ruling only Behar, whose son and successor Julal he in no long time supplanted, partly in self-defence. But when Mahomed Lody, son of Secunder Shah, fled before Humayoon from Chittoor to Patna, and was there chosen king of Behar by the Affghan chiefs, Shere Khan had to submit, obtaining only his old jaghir and a written promise that, on recovery of Jounpore, Mahomed would yield Behar to his vassal ally. Hereupon forces marched against the Moguls, who evacuated the whole province of Jounpore. Homayoon was engaged in the siege of Kalinjur, but marched to the support of his deputy. Shere Khan thought himself slighted in the distribution of commands in the Affghan army, and wrote to Ameer Hindu Beg, (who had probably already governed the city of Jounpore) promising not to oppose the Mogul; and his defection in the battle of the next day was the chief cause of the defeat of the Affghans. But, not long after

was left uninjured; to this, as to other buildings, older edifices furnished materials: it is an oblong of some 190 feet by 140, having at the corners foundations of round turrets.

Digitized by Google

Jooneid Birlas had been re-instated at Jounpore, Humayoon sent Ameer Hindoo Beg to demand of Shere Khan the surrender of Chunar, and though more urgent affairs distracted his attention while Shere Khan's power was growing, yet the sudden outbreak of the Affghans, on the death of Jooneid Birlas, compelled Humayoon to march to Jounpore in the summer of 1536, and his great success there and in Bengal was the proximate cause of his ruin. For, while he was loitering in the East, his brother Hindal Mirza revolted; and after his terrible defeat near Buxar in 1539, Humayoon lost for the time his hold on Eastern India. Jounpore indeed held out for a short time under Ameer Hindoo Beg and his son Bababeg Julayoon, but before his great victory on 17th May 1540 Shir Shah was undisputed sovereign of all India east of Agra, and Adil Khan his son was his viceroy in Jounpore. In the troubles which preceded the return of Humayoon, Jounpore, with the other Eastern provinces, changed masters a dozen times; but its fort was no longer the chief place of strength, for the possessor of Chunar, strengthened as a treasure house by Shir Shah, was of necessity supreme. Nor does it play a conspicuous part in the early part of Akber's reign, at least till the rebellion of Ali Kooli Khan, Khan Zuman. This noble, an ally of Behram Khan, had been made governor of Sumbhul by Homayoon, and, in the year 1558, he was made also governor of Jounpore and 'Punjhuzari.' In no long time he expelled the Affghan governors from the adjoining districts, and when, three years later, the Affghans of Bengal attempted to recover the frontier provinces, he, and his brother Bahadur Khan, utterly defeated them. Yet this success nearly effected Khan Zuman's ruin at court, for he withheld the customary offering till Akber had led a strong army as far eastward as Kurrah. The clemency which left this insolence unpunished was but ill repaid; for in 1563 began the troubles with Ali Kooli Khan which only ended with his death in battle on 6th June 1567, and the execution of some of his Oozbuk allies, taken at the same time, who were trampled to death by elephants at Jounpore, almost as part of the ceremonial which attended the installation of Khan Khanan Moomyim Khan in this rich and important Government. During these years Akber's head-quarters seem to have been alternately at Jounpore and Chunar, and the province may not have been formally entrusted to any one till Moomyim Khan received it after Khan Zuman's death; for more than once it was restored to the traitor on his pretended and temporary submission. But any detail of the operations seems to pertain rather to general history than to the special history of Jounpore. One event however must be noted; for when the mother of Khan Zuman

Digitized by Google

was confined in the Fort of Jounpore, under the charge of Ushruff Khan the governor, her other son Bahadur Khan, in the summer of 1566, with a strong force, surprised the fort, burnt its gates, broke down its chambers, imprisoned its governor, rescued his mother, and, after plundering the city, retired on Benares when he heard of Akber's advance, breaking down two arches of the Julalpore bridge to prevent pursuit. It is scarcely credible that, even after this revolt, Khan Zuman was reinstated in his government, and that not till he was actually killed did Akber finally appoint his successor, conferring the government, as we have said, on Khan Khanan Moomyim Khan, the last viceroy who resided in Jounpore; for eight years after his death a new city and fort was built at the confluence of Ganges and Jumna, to be head-quarters for the viceroy of the East; and, though the province of Jounpore was conferred on Khan Khanan Abdoolrahim Khan in 1590, in lieu of Goozrat, he never seems to have visited his government, though he made or found his grandson, Masoom Khan, Nazim; and from that time the great man of Jounpore was either the Nazim, or else the governor of the Fort, who drew pay for himself and the garrison from certain small dependent pergunnahs, and whose post was so little valued, that in 1558 Jumal Khan was near breaking into open rebellion when invited to yield, for this, the government of the stronger fort of Chunar.

To Moomyim Khan Jounpore owes its most useful, if not most beautiful, building, the great bridge. Yet if we here follow the chronicler, whose narrative is in much local detail and is supported by metrical dates, we must suppose that Ferishta's information is faulty in a period when it should be best, or that the restoration of Ali Kooli Khan to favour meant restoration of his estates not of his governments, for our chronicler would have Moomyim Khan to be governor A. H. 972, and in that year to have founded the bridge. Let us leave the riddle unsolved, and merely say that the bridge seems to have been begun A. H. 972 and finished A. H. 976. It is curious that it should have owed its foundation to the humanity of Akber, and not to the magnificence of Hossein, who, throughout his reign, was contented to use a bridge of boats for his gorgeous processions to the Eedgah he had built on the south bank. For Akber, who was very fond of boating, saw during his excursion one night, a poor widow lamenting loudly that she could not get ferried across, and the emperor, having taken her over, stationed boats at the ghat for like purposes for the future, but also remarked to Moomyim Khan on the advantages of building a bridge there, somewhat disparaging the former

Digitized by Google

kings for their preference of mosques. Further reference was made to the subject in next day's durbar, and Moomyim Khan came forth from the presence pledged, both in his own opinion and the emperor's, to building a great bridge in the very place of the evening's adventure. A story is told to illustrate his obstinate determination; a workman who had vainly contrasted the bottomless gulf in which at this point a pier would have to be built with the ford which, two miles further up, had suggested to Ibrahim to build a bridge there in front of his palace, at last said that if, next evening, the Khan Khanan would go with a boat-load of money to the worst part of the passage, he would show how only there could be hope. So when next evening all were gathered together, the workman flung one bag of money over saying that money must be spent with at least equal lavishness; Moomyim Khan ordered the boat to be scuttled, and declared he would build on boat loads of gold rather than not build. Hereon the work was begun in earnest, and a bridge of five arches having been built on the southern bank and a new channel dug, a very strong bund was thrown across the true course to turn the water into its new bed. Beginning again from the south, the building of the piers went on well till the famous hole was reached, in which had to be laid the foundations for the piers of at least the northern pair of arches. On this all labour seemed thrown away, till the superintendent tried, simultaneously, abundant praying and improved engineering. Of the form of the former and its effects we can of course say nothing; the latter is sufficiently curious to deserve detail. On stout rafts were built rows of strong pillars, of stone clamped with lead, and these rafts were scuttled as foundations for the piers, their descent being regulated by the many anchors to which they were made fast, and further by metal guide rods fixed on each boat; when at last the tops of the pillars appeared above the water, every pair was connected by a beam of mixed metal, secured with iron and lead, and on these beams was laid the stone foundation of the pier. The true bridge measures some 330 feet within the inner faces of the abutments, but as each pier averages fourteen feet in thickness, the gross water way is less than 200 feet. The middle group of four arches are of perceptibly larger span than the others, and the kiosques, which, as is usual with Indian bridges, were added as a decoration, adorn the northern centre arch; a late magistrate enclosed these also as shops, completing the purposeless disfigurement of the bridge which Mr. Deane began. Fuheem Khan, who was governor of the fort, and manager under Moomyim Khan, appointed as his deputy Khajeh Dost, an Affghan jaghirdar of Ghiswa, who

Digitized by Google

brought from his own estate the chief masons. Of course the real cost cannot be even approximately guessed; it is said to have* reached thirty lacs, half that of the Britannia Bridge, and three-fifths of that of London Bridge; but a vague expression makes one suspect that this round sum, if one could believe it to be anything more than a roughness, would include all the monies laid out on the fort and other buildings, and Khajeh Dost took credit to himself for saving materials enough to build a bridge and a mansion where the road to Ghiswa and Allahabad crosses the river Sie.

The bridge was not however the only work of Moomyim Khan. He built, besides several mosques, a palace for the governor in a walled garden adjoining the bridge on the northern bank; an outer gate of stone, adorned with coloured tiles, and an outer court for the Fort, and several hot baths in different parts of the city which also he endowed that the citizens might use them without charge.

The connected history of Jounpore ceases with the foundation of Allahabad; thenceforward it only appears at intervals like any other country town, and nothing remains of this branch of our subject but rambling mention of different incidents in its steady decay. Aurungzebe visited the place, and but for court intrigues would have restored at all events the mosques to their former beauty. Near relations of Ahmud Khan Bungush lived here, and one of the first acts of his administration was to confer the government on them; that they ever succeeded in wresting it from the Nuwab Wuzeer is not so clear, though Sahib Zuman Khan laid the country waste and partly destroyed the

* Another account makes the cost fourteen lacs, an estimate which does not contradict the suggestion of the text, that the thirty lacs included the whole cost of public works. Of course the whole is said to have been paid by Moomyim Khan. The bridge Poolgoozur, said to have been built from the leavings of the great bridge, about eight miles west of Jounpore, and finished A. H. 977 (1569-70), (twenty-five years later than Mr. Ommaney makes out), carries the Allahabad road over the Sie, at a height of twenty-five feet above the winter water level, and the embankment of approach extends a long way on each side. Originally it consisted of eight fifteen-feet arches, with piers of somewhat greater breadth; one or two arches had more than once been blown up by floods and repaired; but when a pier was again broken down in the rains of 1847, arrangements were made for remodelling the whole. A detailed account is given in Part XII. of North-West selections. Two arches were in each case thrown into one, to the great increase of beauty of the bridge, and improvement in every way. Had the work been executed by free labour, the cost would have exceeded Rs. 21,200, yet no foundations had to be laid, and only 5 lo voussoir stones procured. Mr. Ommaney says it was built of the materials of a temple whose site is still traceable: this is *a priori* improbable, and any traces of a former building are probably those of the mansion erected by Khajeh Dost.

Digitized by Google

fort. Both Abool Mansoor Khan and Saadut Ali made long halts here, occupying the old palace of Moomyim Khan; but when the farm of the four Sircars was conferred on Bulwunt Singh, the fort was still retained by the Nuwab, and his little garrison repaired so much of the palace as was wanted for their own occupation. When, however, this district passed into the hands of the English, though Chunar was garrisoned, the fort of Jounpore was left to Cheyte Singh. Warren Hastings may have visited this city, Sir Eyre Coote certainly did, while Duncan's visit is recorded in those volumes of proceedings which are mouldering unnoticed on the record shelves of the Commissioner and the Collector of Benares. A brief sketch of his operations will not be out of place. He had gone from Benares to Ghazipore, and marching thence, arrived at Jounpore on 9th March 1788, leaving it for Mirzapore on 25th March. His first business was to instal Moofti Kurum oollah as Judge and Magistrate; this was done with great form, in the presence of Raja Mehipnarain. The palace in the Fort was fitted up for his cutcherry, and in part perhaps as his dwelling house; yet he had property in the city and neighbourhood, for Hastings had restored it. Then orders were passed for the dismantling of the Fort, the guns being broken up into weights for the bazar. Bazar taxes were remitted, to the satisfaction doubtless of the shopkeepers, but to the injury of the place, for these formed the endowment of more than one charitable institution. Then kotwally fees were abolished, which, under twenty heads, with great harassment to the residents, brought in but Rupees 1,400 a year. Then he ordered the new Magistrate to lay out Rupees 2,000 on the repairs of the bridge, and obtained from Lord Cornwallis an annual grant of Rupees 1,000 for the same work; like orders for the repair of the other bridges in the district are said to have borne less fruit, for Sheolall Doobey, the revenue farmer, pocketed as much as he could of the money granted. He writes, too, favourably of the site, and laments the decay of the town, telling how that once it was 'the seat and resort of Mahommedan 'science, and the residence of many of their learned men, in so 'much that it was known by the appellation of the Shiraz of 'India.' And with this tribute to the past fame of the city at the hand of the distinguished man who was the first European personally concerned in the administration of the city or province, the *history* of Jounpore may well close.

Yet it would be hardly proper to pass on without saying something of the extent and revenue of the ancient kingdom. But, if such an estimate be difficult for the mediæval kingdoms of Europe, it is far more difficult here, where gradations of de-

Digitized by Google

pendence were at least as numerous, and where the national tendency to make all offices hereditary, renders the distinction between an appointed governor, and a petty prince, scarcely traceable. Still, while we bear in mind that the extent of the territory, and number of the vassals, of each prince varied directly with his power, and that the submission of the lord of Byana to Hossein can have been at best but nominal, it is possible to mark sharp lines bounding the ancient kingdom save within the Doab. Thus in the west Budaon was only subject to Jounpore in the feverish month which intervened between the death of Allaooddeen and the fall of Hossein. The inhospitable Terai extended further south three centuries back, yet Baraitch and Goruckpore must have been subject to Jounpore, for both were visited by, and paid tribute to, Feroz, and are next mentioned when, in distributing the spoils of his victory, Behlol allotted the province of Baraitch to his nephew best known as Kala-Pahar. On the east, all Behar must have been subject to Jounpore, for at least the early princes of the Shurky dynasty were able to exact tribute even from the king of Lukhnowty; and if the growing rivalry of Delhi should seem to have too far weakened their successors, it must be remembered that those successors successfully invaded even Orissa; and at the worst the relations of the Ray of Patna to the kings of Lukhnowty and Jounpore cannot have been more favourable than he of Etawah bore to the kings of Jounpore and Delhi. On the south Chunar, with which doubtless fell the fertile tract between the Vindhyas and the Ganges, was first conquered by Mahmood Shah, and Calpi was governed by a vassal prince, to the last, apparently, hostile to Jounpore. In the Doab the Ray of Mynpoorie Bhowgaon was generally an obedient vassal, and the lords of Rabiri and Allyghur seemed as ready to follow the standard of Jounpore as that of Delhi. We are, therefore, certainly not overestimating the extent of the kingdom proper, *i. e.* of the provinces entrusted to governors, not ruled by vassal princes, if, making the Gogra from Fyzabad and the Jumna from Calpi, its boundaries on the East and South, we take those on the other sides to be imaginary lines drawn from Bareilly to Calpi and Fyzabad; if we have slightly exaggerated in naming Bareilly for want of any well known city further down the Ramgunga, we have as certainly allowed too little on other sides. The area of the provinces included within these boundaries is upwards of 29,000 square miles, and they pay now a revenue of near two millions sterling against one to Akber of eighty-one lacs, excluding the revenue of rent-free lands which cannot have been less than four lacs. Even if we allow

Digitized by Google

that the land revenue had doubled under the able administration of Akber, we still find that the king of Jounpore drew from his hereditary dominions a revenue four times as that of any contemporary king of England, and to this rich provision must be added the benevolences levied from time to time on the border barons of Etawah and such like places, and the spoil of some profitable Holy War.

Vague as is our knowledge of the revenue of the kingdom of Jounpore, we have not material even for a guess as to the expenditure. Vast sums doubtless were lavished on jewels and shows after the ordinary fashion of native courts; wars waged by armies even of feudal militia are costly; yet if we go beyond such generalities we can only repeat tales of the schools founded, or run through the roll of noble buildings built, by the kings of Jounpore. And though now no trace be left of these schools but the story of their past fame, we have better ground than Mr. Duncan's saying to hold that this city was the Shiraz, or the mediæval Paris, of India. Feroz determined to make it a seat of learning worthy of his cousin's fame. Each of the princes of Jounpore prided himself on patronizing science, and the troubles which, in the early part of the fourteenth century, scattered the doctors of the ancient imperial city, were eminently favourable to the rise of a school of learning in the peaceful and secure Jounpore. Shahabooddin and his master in Ibrahim's time, and the dozen holy men who must have been more than mad beggars if we may judge by the respect and attention they received from that able prince, these were the first professors of Jounpore. Nearly at the same time with Baba Nanuk, flourished Syud Mahomed Jounpoori, founder of the Mehdy sect which, teaching severe asceticism, and justifying its members in preventing breaches of sacred law even by slaying the offender, had to be put down with a little sharp persecution by Selim Shah Soor. So great was the influence of Shah Kootoobooddeen, a blind devotee of Hossein's time, that he was able to depute a disciple to act for him as Kazi in Bhudohee. Even in Mahommed Shah's time existed in Jounpore twenty famous schools, of which now but the names are known, the founder of one having died in the middle of the fifteenth, of another in the middle of the seventeenth, century. Nor was only scholastic learning cultivated; Hossein is described as 'a 'clever and luxurious prince, skilled in music, a connoisseur and 'a composer,' and verses set to music of his composition are said still to exist. Shir Shah did not want to study only the commentaries of Mahommedan doctors, or the tenets of Syud Mahomed, when he refused to leave Jounpore for his father's

Digitized by Google

hall at Sasseram. Of the successful cultivation of other arts let the noble mosques of Ibrahim and Hossein bear witness.

But before speaking in detail of these splendid buildings, now sole memorials of the wealth of the powerful princes of Jounpore as also the sole evidences of their taste and culture, let us clear the ground by speaking briefly of those less important buildings which bear not at all, or less conspicuously, the marks of the dominant style. Not indeed that we are prepared to catalogue the many tombs of more or less pretension which, from the time of Feroz to the present day, have been built over former dwellers in Jounpore. Not that we are prepared to trace the fort Ibrahim built at Roy Bareilly, or give a plan of the kunkur-built palace, erected by Bijaichund and appropriated by the new dynasty, the remains of whose courts and halls are the core of a lovely woodclad knoll overhanging the Goomti some two miles west of the bridge. But not even the unrivalled attractions of those later mosques will permit us to leave without further notice the fort of Feroz, or the mosque and halls with which it was decorated by Ibrahim.

The Fort is an irregular quadrangle on the north bank of the Goomti, formed by a stone wall built round an artificial earthen mound. Externally the walls are of considerable height, but, as the mound fills only the eastern half, their height from the level of the fort within is not uniform. Without, too, the higher ground on the side next the town, made the northern wall always the most favourable to an escalading party. Besides a sally-port on the south-eastern face, approached from within only by a steep passage, barely wide enough for an elephant, cut through the artificial mound, which might have been easily closed by pouring in a few cart loads of earth, the only entrance was by a gateway on the east, unprotected by any outwork unless the walls of the city, which doubtless existed though they have left no trace, be regarded in that light. The fort had more than once been carried by bold assailants burning the gate, before Khan Khanan Moomyim Khan built an outer court of brick with a fine gateway of stone adorned with Kasi work, whose chambers were never finished. Feroz used, and herein he was largely imitated by later princes, the ruined temples of an earlier creed as quarries whence to fetch materials for his new works; to what an extent Feroz drew on the ruins would hardly be believed by one who saw only the smooth walls still standing, but when the towers were blown up in 1859, the inner face of nearly every stone bore carvings which had, apparently, made part of an ornamental band; in the remaining walls such carved blocks are not rare, the carving being shown in general by accident,

Digitized by Google

yet sometimes worked in as an ornament, just as in the gateway the niches, which relieve the eastern face, are ornamented with such bands, in one of which, not twelve feet long, may be counted seven distinct patterns.

Within the walls all is desolation, and despite the lovely view, rich in the charm of wood and water, unrivalled in the plains of India, a visit to it gives little pleasure to one who knew the place even few years back. The destruction of the towers on the southern face, and of that pretty building on the south-west, the last habitable of Ibrahim's works, is to be lamented indeed chiefly as ruining the external beauty; but within, no traces are left of Mr. Martin's garden, and the rank jungle grass and that shrub, whose lustrous copper-coloured leaves seem always evidences of long and utter neglect, suggest a strong wish that, if the rich local funds of the city can do nothing for the Fort to which it, and they, owed their greatness, the despairing proposal of the chronicler might be approved, and the area be made over to market gardeners, whose cultivation would at all events keep it clean. Not less conspicuous for the surrounding desolation are Ibrahim's spacious baths, still apparently capable of easy repair, and the mosque which served as a cathedral till the completion of the noble Atala. Within, this mosque measures about thirty-seven paces by five, and is divided into three chambers of equal length. The plastered vaults and shallow ornamentation of the middle chamber raise a suspicion that it is not as its founder left it; in the wings, there is no room for such a doubt. They are each two aisles deep and of five bays, having in front for ornament a range of slightly carved square pillars, while the low roof, not nine feet high, rests on three ranges of pillars of different shapes. The western range of pillars is closed by a plastered brisk wall with niches. The pillars have certainly, the flat roofs probably, been taken from some Buddhist temple, possibly from those of Zuffrabad which supplied most of the materials for the Fort.

About twenty feet in front of the middle of the southern wing stands the lat or pillar, the inscription on which is held to assign the mosque to Ibrahim, apparently wholly unaltered from the date of its erection. Its octagonal base rises in five steps to the height of some four feet six inches; the upper face of this base gives little room for anything but the pillar, which, first square, then octagonal, then round, rises, with its upper capital, some forty feet from the terrace of the mosque on which it stands. The inscription named above runs in six lines round the upper half of the octagonal stage; the date it gives and the titles it uses give for its erection—and presumptively for the erection of the

Digitized by Google

mosque—the date of the months Zeekada, A. H. 801, corresponding to July 1399, but a few months before the death of the first prince, and the accession of his adopted son, Ibrahim's brother. This month Zeekada, by the way, seems to have been a favourite with Ibrahim, for he has recorded with care that the dedication of the Atala Musjid too took place in the same month.

But this earliest building is not to be reckoned among the chief attraction of Jounpore, those noble mosques unique in style, and unrivalled in beauty by any which depend for their beauty, only on elegance of design and elaboration of a simple material, and not on the barbarous and facile glory of rare marbles and bright enamels.

An extract from Fergusson's description of one mosque will give an idea of the general features of the style. 'It consists 'of a courtyard * *, on the western side of which is situated a 'range of buildings, the central one covered by a dome, * *, in 'front of which stands a gate-pyramid or *propylon*, of almost 'Egyptian mass and outline.* * This gate-pyramid, by its elevation, supplied the place of a minaret which none of these 'mosques possess. The three sides of the courtyard were surrounded by * colonnades * * *; on each face was a handsome 'gate way.

'These Jounpore examples are well worthy of illustration, 'and in themselves possess a simplicity and grandeur not often 'met with in this style. An appearance of strength, moreover, 'is imparted to them by their sloping walls* * *.

This extract will show that the special characteristic of the Jounpore style is the lofty propylon with sloping walls hiding a single dome; and it would be well to have some idea of the causes which led at this place to the adoption of this plan, so original, so quickly perfected, and never imitated elsewhere. Did we know—as we can never hope to know—which was called for first, the dome or the propylon, we should be able to guess the object each was to answer. For, while the dome is undoubtedly the most imposing covering for a single chamber, it seems, at least when seen from without, to overpower a room whose walls are not proportionably lofty; and it is hard to fancy how the effect of any building could be pleasing where a dome covered the centre of a simple oblong. The ordinary reproach of the ugly building of 1862—'Fowke's Dish covers'—will serve as an illustration, though every one knows well that the so-called domes had not one of the common beauties of a dome. If, then, for the sake of an imposing internal roof to a central chamber, the founder wished to build a dome, and if with his desire to utilize material existing in abundance at hand, he was somewhat

Digitized by Google

cramped in his choice of the height of his building, no great ingenuity would be wanted to make him think of proportionally elevating the central portion of his facade, turning his minarets—if he had planned any—into abutments, and filling the intervening arch with a rich screen which should hide the dome. This seems the true theory. For the idea of the dome must surely have come first. The bold facade standing alone can have been satisfactory only when viewed from directly in front; from every other point it would have seemed purposeless, from behind worse than purposeless. Yet, though it had been possible to view it only in the most advantageous way, from the direct front, no one would dream of building a facade eighty feet high through which might be access to a chamber less than forty feet high and scarcely forty square. And so we would claim for the Pathan architects of Jounpore the honour of being the first in India to plan domes of any size, and also of being the first in India to make domes, and their adjuncts, an imposing part of a range of buildings.

The plan of the Atala Musjid confirms this theory. Here the architect has thought the western wings wanted elevation, and has therefore placed on them small domes half way between the centre dome and the cloisters; but, though these domes are certainly not so large as to seem to crush the substructure, he has hidden each behind a proportionate *propylon*. But certainly the Zuffrabad mosque, which seems to be a Buddhist temple with the pillars *in situ*, the form of worship alone being altered, seems at first sight to make against the theory; for, while it certainly never had a dome, it certainly has had a large arch between two piers giving a facade as lofty as that of the Atala. But we are not prepared to admit that the cases are at all similar. First of all the arch at Zuffrabad seems to have been a later addition; the substructure is stone to above the level of the roof, and the arch has been of stone, but the upper half of the piers is of brick. Again, the facade of the Jounpore style has the arch closed with a pierced screen; the little remains of the spring of the Zuffrabad arch do not seem to have any traces of the inner or recessed arch which framed the screen; if it ever had this inner arch and screen, this alone of all has lost it. Once more: the top of the piers is reached by a very steep stair running across the back of each, whereas had there been a screen one would have expected a plan followed like that of the upper part of the Juma Musjid, which, carrying the stair across the screen, makes the ascent far easier and safer.

Imposing as this style is, it has one weak point. An arch to be stable must be equally loaded; the haunches will force out

Digitized by Google

the crown, or the crown the haunches, if the weight on either of these points be excessive. And, out of the five examples of this style which were built, the true arches of two, and those two the most elaborate, have fallen; the recessed, or inner, arch can hardly be called an arch, as its stones are supported really on the pierced wall which forms the screen, a fact evident enough on inspection of the Jinjri Musjid, where the voussoirs are loose and would fall, but that they rest on the screen. It was doubtless difficult to calculate the exact depth of stonework which would sufficiently weight the crown and yet not look too heavy: in the case of two mosques of the first age, and those, as we have said, the richest, the architect failed, and by over weighting the haunches has forced out the crowns; the third of that age, perhaps the oldest, is plain almost to ugliness, and here no difficulty could be felt: at the fourth in point of time, the Lall Durwaza, the arch is carried up somewhat in an ogee shape, so that the arch does not seem to end till there is already a considerable weight on the crown. Before the foundation of the fifth and last, the proper proportion seems to have been discovered, for the arch stands firmly without seeming heavily loaded, and there is no apparent artifice to conceal the depth of stonework above. Fergusson notes the further peculiarity that the sides of these *propyla* slope. Though this may not be noticed on a first and cursory glance, it is easily seen when the attention is once called; for at the Atala Musjid the slope is one in fifteen, at the Juma Musjid one in twelve. Such proportions evidently impart to the whole pier much of the character of a buttress, though there is no thrust requiring such precautions.

The construction of the domes deserves note. Where the hall to be covered is somewhat oblong, it is reduced to a square above by boldly projecting cornices; but whether resting on pillars, on walls directly, or on such cornices, the octagonal story consists of eight uniform, deep, depressed, straight sided, pointed arches, above which, as the immediate support of the circular base of the dome, comes a like uniform range of sixteen arches or rather niches. To the uninstructed eye these arched pendentives are certainly the most pleasing; the manner in which they obtain and afford support can be understood at once, and their massiveness prevents the suspicion of a destructive thrust.

First in order comes the Atala Musjid, one of the earliest specimens of the true Jounpore style, and once unrivalled; now the fall of the outer arch has reduced the square and noble facade to a rich screen flanked by two ragged pinnacles. It was built on the site of a temple said to have been erected, but more probably only further appropriated, 1416 Sumbul (A. D. 1359) by Raja

Digitized by Google

Jeichund of Zuffrabad for the reception of his favourite image, and how largely it is indebted to its predecessor may be judged from the extract from Fergusson given below. This temple soon caught Feroz's eye when he was building his fort, but his attempt to destroy it was so violently opposed by the heathens of the neighbourhood that, after much bloodshed, he was compelled to enter into a written compact, which bound him and his successors to leave other temples untouched, and not further to injure this, though closing it to heathen rites. To this compact produced before him, Ibrahim paid small attention, filling those who had trusted to it with consternation, by a very plain statement that the propriety of making agreements, and the propriety of keeping them when made, varied with the power of the parties. Yet he is said to have spared the gate of Atala Devi, only hewing away the idolatrous carvings: there is now no trace of such a building.

Brief as Fergusson's description is we shall do well to quote it as a text. 'Of the three mosques remaining at Jounpore, the 'Atala Musjid is the most ornate and most beautiful. The 'colonnades surrounding its court are four aisles in depth, the 'outer columns of which are double square pillars, as are also those 'adjoining the interior of the court. The three intermediate rows 'are single square columns. This is altogether so like an In- 'dian arrangement that I at one time was half inclined to agree 'with Baron Hugel, and fancy that this was really an old Bud- 'dhist monastery. Its gateways, however, which are purely 'Saracenic, are the principal ornaments of the outer court, and 'the western face is adorned by three propylons similar to that '(of the Lall Durwaza), but richer and more beautiful, while 'its interior domes and roofs are superior to any other specimen 'of Mahometan art I am acquainted with of so early an age.'

Passing over the inaccurate statement of the number of the colonnade aisles, (for there are five instead of four,) we find raised in this passage the most interesting of the questions concerning the antiquities of Jounpore, *viz.*, how much of this building is really Ibrahim's work. On the strength of the Saracenic gates, and the true mosque, Mr. Fergusson assigns all to that prince, while he understands Baron Hugel to assign, on the strength of the plan of the colonnades, all to the older rulers of the subject country. But we have historical evidence that a demolition and desecration begun by Feroz was carried much further by Ibrahim, and therefore the *whole* of the existing building is certainly not Buddhist work. Indeed, there is no evidence that they ever built domes anywhere, and the abundant use of Buddhist ornament may be accounted for by the fact that the

Digitized by Google

materials of older buildings were largely used, that the workmen employed were doubtless natives of the country, and that the new comers, possessing no national style of ornament, would naturally accept, and follow, the rich ornament they found. But, on the other hand, there was no reason why Ibrahim should throw down more, than either had been defiled by the rites he was supplanting, or stood in the way of any new decoration. And Buddhist architecture lends itself freely to any partial demolitions and reconstructions. Made up of isolated portions, using no arches, (which if the most beautiful are also the most destructive of all architectural expedients,) it allows of the fall, without risk to other portions, of any piece of roofing or even of any single pillar. Ibrahim could therefore demolish any side, or part of a side, of the court, and join his new work on to the old without fear of any destructive 'set.' So that we hold a theory intermediate between that of Fergusson and Hugel, *viz.* that a large part of the Buddhist cloisters were left untouched by Ibrahim, when he replaced the *cella* by his splendid mosque, and built the gateways which now so much ornament the formerly bare enclosure.

The mosque stands on the western side of a court about fifty-one paces deep by fifty-five broad. It is surrounded by a colonnade in two stories, the upper story being open in its whole breadth, while, of the lower, three aisles in depth lie open to the court, the fourth being chambers closed to the court but opening, through the fifth as a verandah, on the street. The under-croft is very low, barely six feet in height; the upper is more airy, for to the stone beams—which are about nine inches deep—measures seven feet nine inches. The roofs of these colonnades have in two places fallen in, but the repairs commenced under the superintendence, and through the exertions, of Mr. Girdlestone, are likely to prevent all further injury. It may be doubted whether the restoring the parapets with new stone was necessary or advisable; if not necessary it is certainly objectionable on account of the contrast of colour. The upper story of the cloisters is forty-one feet six inches broad, and is reached by stairs in the piers of the gates.

Access to the court from without is gained by a gate on each face but the west. In outline these gateways closely resemble the propylon of the mosque, but they are of no great elevation. The chronicler having forcibly lamented the violence of Secunder, and specially his destruction of the eastern gate of *every* mosque, one feels some surprise at seeing it here injured only by time. Over every gate is a large slab which has borne an inscription; the bars round the different lines may be traced, but the inscriptions can be scarce legible; one preserved, how-

Digitized by Google

ever, in the 'Ahwalat Jounpore wuh Sooltan Hindoostan,' and thence extracted in the chronicler's note book, gives the date of the completion of the mosque, Zeekada A. H. 821, but mentions among Ibrahim's titles his youthful office of Naib Atabook Azim. Internally, the north and south gates are domed, and so the pillars being arranged to support the dome form a round or octagonal vestibule about thirty-five feet in diameter, and as of course the upper pillars rest immediately on the lower without an intervening flooor, the height to the base of the dome must be some sixteen feet. The roof of the vestibule of the eastern gate is flat, and the main passage but nine feet broad, little more than the ordinary space between pillars in that colonnade. The pillars are about a foot square in the lower story; the upper are partly round: the resemblance between those in each story shows that each group must have been part of one original design, though they are not precisely alike; they have probably been wrought from notes of measurements taken down by different persons orally, not from a model.

To turn to the mosque. This occupies the whole of the western side, the northern and southern corners, to the breadth of the cloisters, having apparently been assigned to women, for the upper stories, adorned with carved pillars and ceiling, are screened with elaborate stone lattices, and are reached from the street by stair-cases leading to elegant doorways in the northern and southern corners, sheltered by the projecting walls of the cloisters, than which these chambers are about a fourth narrower. The front of the mosque to the court is divided into three portions of about equal length, the centre one being the propylon and front of the great hall of the mosque, the other's wings standing back sixteen feet from the pier face, and each relieved by a smaller propylon masking a proportionate dome.

The piers of the chief propylon are thirty feet apart, the inner walls of course vertical; the batter on the outer is plainly perceptible, commencing above the foundation course which rises square some nineteen inches above ground. The facade stands back nine feet six inches from the base of the piers, but the arch which supported the square ridge of the propylon has long since fallen, and the remaining facade consists of the doorways, with a rich screen above supporting a plain stone arch as frame. The line which divides this facade, on a level with the roof of the cloisters, Fergusson calls, after the fashion of Gour, the Badshah ki Tukht; that term does not seem used here. The winding stair-cases in these piers are complete as far as the piers are, and so we reach the roof of the cloisters, and the aisle which, on a level therewith, runs below the base of the dome on all sides but the west.

Digitized by Google

Within, the mosque is richly but not inordinately decorated by the carved mebrabs, and the belts which run, like frames, round all arches. It measures thirty-nine feet six inches north to south, and twenty-nine feet five inches east to west, and the oblong is reduced to a square, as the first step to reaching a round base for the dome, by a projecting bracket or cornice carved below. The octagonal stage is of low arches, slightly ogee, some eighteen inches broad, floriated internally with lotus buds; above is the story of sixteen sides, of niches similar to the arches below, but shallow and closed; its corbels are round, nearly flat below, and worked with the full blown lotus which adorns all spandrils wanting relief; and on this story rests the round substructure of the dome. This, again, is relieved by projecting ribs of darker stone, worked with like shallow bas reliefs, running up from the angles of the polygon, till more than half way up they branch into hexagons, whose upper angles are filled by the pentagons of whose bases is composed the circle, a yard in diameter, crowning the dome. The only internal furniture of the mosque is the pulpit of eleven steps, perfectly plain but for a band of shallow carving running along near the ground and round the opening under the pulpit, and a plain bracket for a light about half way up.

The plan of the domes in the wings is precisely similar, save only that they rest on columns instead of on walls. The wings are but of three aisles, and of course have no upper story, the pillars of the roof standing, as at the gates, immediately on the lower pillars. The outer range of pillars is double; the aisles are eight feet four inches broad, and the pillars sixteen inches square.

A work of the same reign, and probably a few years earlier, is still undamaged, save by the loss of any cloisters or gate it may have boasted. This is the mosque Duriba, Khalis Mookhlis, or 'Char unguli,' built on the site of a favourite temple of Bijaichund by Mullik Khalis and Mullik Mookhlis, governors of Jounpore under Sooltan Ibrahim, and described in one place as his chief nobles, in another as 'chelas' of Feroz, but of whom one was at all events a namesake of the only one of Ibrahim's brothers, of whom a separate and important command is recorded. Bijaichund is said to have prefaced his devotions in this temple, erected by himself, by bathing in the 'Khas Houj,' an enormous stone tank, three quarters of a mile from his palace, and still to be traced north of the great mosque, proceeding thence on foot to the temple. The mosque was erected for the conyenience of Syud Oosman, a reputed saint born at Shiraz, driven from Delhi by the irruption of Timour, ; his descendants still are said to dwell

Digitized by Google

near the mosque, which was rescued by Mr. Wellan from the desecrating occupancy of the neighbouring Koeries. It consists of a domed hall and two wings, the dome masked by a low facade of the character peculiar to Jounpore, but there is not any ornament to break or relieve the sombre massiveness of the building. The name by which it is most commonly known is 'Char unguli,' given it by reason of a stone in the south pier, bearing a line three inches long which should measure four fingers whosesoever be the hand measuring; much poojah is done by Hindoos to this miraculous stone, and it is immensely revered by Mussulmans even if they do not daub it with oil or pay any such outward respect.

Of the remaining building of this age, nothing is left but the great piers, flanking a screen of such beauty as to show that the completed building could have been inferior in size only even to the famous Atala, the work of the same founder and doubtless designed by the same architect. Wishing to build a mosque in honour of one Huzrut Syud Sudder Jehan Ujmuli, Ibrahim demolished the temple which Jaichund had built at Mookoot Ghat, and on its site erected this building, occupying part of the west side of a large court. Part of the court walls were knocked down by Secunder, and the stones appropriated for other public and private buildings, and conspicuously for the great bridge. Floods in the ravine which it overhangs, and in the close adjoining Goomtie, long since destroyed its vaults, and the brick enclosing wall and low poor roof are the work of the last generation. Still, though it is kept clean and in order, the little court is more used for drying grain than as a place of prayer; for, though within the Sipah Mohullah, it is a quarter of a mile from the city, and its nearest neighbours are the dead Pathans whose tombs are in Chachukpore. It is commonly known as the 'Jinjiri Musjid,' and though very little known is well worthy of a visit, both on account of its past beauty and as showing now completely what in the Jounpore style seems an inner true arch is merely a part of the screen; for its voussoirs here (all carved with a long raised Arabic inscription, the only instance in Jounpore of such a decoration) are all loose, and, but for the support of the pierced screen, would fall.

The sole remaining work of Mahmood's reign is the mosque known as the Lall Durwaza, so called in memory of the 'high 'gate painted with vermillion' of the palace which Beebee Rajey built at the same time close by. How it escaped untouched when Secunder destroyed the palace, it is hard to say; but both mosque, gates, and cloisters, are still in good preservation, the few stones which have fallen in the lapse of time only sufficing to show

T Digitized by Google

that the stones of this, like *all* the other mosques of Jounpore had before been used in some Buddhist building. Churchwardens are the same all the world over, and though at the hours of prayer few stragglers push open the heavy gate to enter and pay their devotions, the mellowed stone work of the mosque was not long since treated to a liberal coat of white-was, hthough the courtyard and cloister roofs were not freed from the rank jungle grass. There is nothing very peculiar about the plan; three gates give access to a large court, with a cloister of one story only running round, on the west side of which stands the mosque, the wings double the height of the cloister, the dome of the central hall masked as usual by a propylon. The illustration given by Fergusson is imperfect as not showing the dome, which, from the point of view chosen, would be distinctly seen behind the propylon. The pendentives of the dome and the flat roof of the wings rest immediately on slender pillars, and there is nothing resembling an upper floor any where, save that, on each side of the central hall is a raised gallery, apparently for women, approached by a stair through the piers of the propylon. The date of erection, or any allusion to the founder, is nowhere inscribed, though in two places within are passages from the Koran, and high on the screen without is a black stone bearing the Mussulman confession of faith. On the whole this is the least interesting, though most perfect, of the præ-Mogul buildings of Jounpore.

Last among the buildings which require detailed notice is the splendid mosque of Hossein. Of the proximate cause of its foundation divers accounts are given. Some attribute the design to Ibrahim, who wished to save an old saint, Huzrut Khajeh Eesah, the voluntary labour of walking barefoot from his dwelling hard by to the Musjid Khalis Mookhlis, a mile distant, for the Friday prayers. Others say that when, in a seven years' famine, Hossein found his agents diverting to their own use the funds and supplies he had granted for distressed persons, he devised a labour test, directing that only those who laboured in casting up the mound which is now the courtyard of the mosque, should receive anything. There is possibly truth in both stories. No one attributes any part of the building to Ibrahim, yet some such design may well have occurred to him, for all his family lie in a cloistered court of a building close adjoining the north side of the mosque, probably round the grave of this Khajeh Eesah, who was certainly buried where he had lived; the sanctity which made him a tempting grave-mate was enough to suggest the building a mosque in his honour. The famine, however, may have been invented to account for the

Digitized by Google

raised courtyard which surely needed no such explanation. Yet, be all this as it may, the work must have occupied many years of Hossein's reign, though it was not ready for dedication till after his fall. We may wonder that Behlol allowed his fallen foe to complete, and reap the credit of, so magnificent a structure, and indeed even that Secunder, in his rage at Hossein's persistent treachery, was content with throwing down the eastern gate, and somewhat damaging the cloisters, after vowing that not a stone should be left to record the existence of his rival.

On a site sloping slightly to the southward is raised a terrace, some sixteen feet high on the south side, where the face is composed of a series of little chambers. The west side of the terrace is of course occupied by the mosque, and on the middle of each of the other sides is a domed gateway, approached by a steep flight of steps. These gateways give access to a flagged quadrangle about seventy yards square surrounded by a colonnade in two stories, whereof the eastern face was destroyed, with the dome of the gateway, by Secunder's order, and the southern range is less injured than the northern. They never however rivalled the cloisters of the Atala Musjid, for they were but two aisles broad. The trees, which make so pleasant a shade in the quadrangle, so obscure the front of the mosque, that it is not possible to get a very satisfactory view even of the superb screen.

The *propylon*, eighty-six feet in height, decreasing from seventy-seven feet in breadth at the base to little more than seventy at the top, projects ten feet eight inches from the general line of the front, and six feet six inches from the inner arch which frames, and rests on, the screen. The piers, here as elsewhere, are relieved by shallow niches in outline Mahommedan, in ornament Buddhist. The span of the inner arch is thirty-six feet nine inches, and the lower part of the screen is occupied by the three doorways, square headed but for their brackets, which give access to the central chamber. The true screen, which, treating the whole as a gigantic doorway, might be called the *tympanum*, is made up of tiers of pointed openings, framing stone latticework, and divided by bands of horizontal ornament. Suffice it to say that scarce a stone seems undecorated, and that no two bands seem, on a cursory view, to be of the same pattern.

Within, a dome, forty feet in diameter, roofs a chamber so exactly resembling that of the Atala mosque that the only point of difference to be noted is the absence here of raised ribs relieving the interior of the dome. The passage above the level of the doorways runs here all round the dome, so completely

Digitized by Google

connecting the upper chambers which seem to have been the prayer place of the women, and which here, thus immediately adjoining the central chamber instead of being, as at the Atala, in the extreme corners, look down, through varied lattices, on the pulpit and the prayer place of the men. Neither of these chambers is lofty, for while the lower story is but fourteen feet in height, the upper is not twelve. And, of necessity, they are gloomy in the extreme, for there is little opening even on the east side; on the north and south light can be only borrowed from the mosque and the vaulted chamber; and the pillars supporting the heavy ceiling are many and massive. Several bays of the ceilings in the upper story are carved in low relief, but those below are quite plain. Access to these upper stories, as to the roof of the mosque and the top of the *propylon*, is gained by a winding stair in the piers, entered from within the chambers; this could be reached without passing through the quadrangle, for on the north-west side are the remains of a stair from which a door has once led into the lower floor of the northern chambers.

Beyond these chambers 'on each side is an apartment forty feet 'by fifty, covered by a bold pointed vault with ribs, and so con-'structed that its upper surface forms the external roof of the 'building, which in Gothic vaults is scarcely ever the case.' To this description by Fergusson scarcely anything need be added. Almost the only ornaments are the three *qiblahs* facing the three doorways and the few openings for light in the north and south gables. The ribs strengthening the vaults, and the vaults themselves, are perfectly plain. Yet it is necessary to correct an assertion which he makes just below, that the double-storied cloisters and the eastern gate were thrown down by Englishmen to mend the station roads; they were certainly demolished by Secunder, and though it is far from impossible that use has thus been made of materials lying ready to hand, the mosques of Jounpore have certainly nothing but reason to rejoice in the consequences of English rule. Indeed we have even interposed to save them from their friends, and to restrain the Mussulman improver from defiling the time-mellowed stone, and defacing the elaborate carvings with his much-prized white-wash.

Enough has been said of the Juma Musjid. Yet this is now much the same as saying that our self-chosen task is done. For it will not be desired that we even catalogue remaining mosques, from the spacious flat-roofed one called after Mirza Meeruk who repaired it, or that vaulted one built by Khan Khanan Moomyim Khan as the spot where prayed the fuqueers, who got the credit of the dry weather and the resource of the architect; or that other built by the Khan Khanan

Digitized by Google

for Soliman Shekoh on the old south bank of the river, facing the little hummam which gave place to the mystic image discovered by Mr. Deane; or the long wall built by Hossein for an Eedgah, with the terrace and baths and gateway of Moomyim Khan, for which, even but seventy years back, Sheolall Dooby, the tehsildar, had to furnish canopies and carpets. Still less will it be expected that we tell of the endowed hummams which once made Jounpore a paradise; (for, what says the chronicler? 'The 'proverb is true that no place is worth living in which has not a 'just judge, a good doctor, and an old hummam';) the buildings have long since perished, though they survived their endowments, and their sites are only known by local names, or even by the narrative of the chronicler. Yet once more it is necessary to express somewhat of wonder at the noble buildings on which the Mussulman invader drew so largely, and whose beauty formed his style. Though we had not the frank acknowledgments of the chronicler, and his account how Ibrahim thought it consecration enough to knock off the head of any image and build it, face inwards, in a wall, the carved ornament discovered where any stone has fallen, whether in the wall of the dower-house, the Juma Musjid, the Lall Durwaza, or the Fort, would tell plainly enough the double use of the materials. If the Atala show less of these than other buildings, the reason probably is that there but little of the ancient building was destroyed. Yet there, and every where, all the ornament, in gross and in detail, is purely Buddhist; the construction, the arches and domes only, betray the influence of other taste. The arches are floriated with lotus buds, the spandrils relieved with full blown lotus flowers, the bands of ornament are largely made up of lotus blossoms, in every stage, and lotus leaves from every point of view, more or less conventionalized, and even the name of God in the qiblehs is inscribed on the Buddhist bell.

If in a visit to Jounpore there be melancholy, yet is that melancholy free from pain. You stand amid ruins, but ruins defiled by no painful memories. Not here does each building recal centuries of blood and lust and crime; not here at every turn do we see a stone where was exposed the outraged body of some fair woman of our own race and creed. From the pinnacles of the Juma Musjid you look down on the ghost of a noble city, trees growing green where once stood the palaces of princes. From the mound of the Fort—now so desolate—you look down on the fair valley bright with the meanderings of the Goomti, adorned with trees and the thick set tombs of men, many doubtless heroic men, though their deeds be forgotten *quia carent vate sacro.* As you look from the upper chambers into

Digitized by Google

the central hall of the Jùma Musjid, when, as the evening draws on, the deepening gloom and the dimmer distance make you feel as standing in a noble shrine of a more familiar faith, the voice of some worshipper below, echoing through the vaults, carries you back to a time when, through the same lattice, some queen looked down on king and nobles, gleaming, in the light of pendant lamps, with the gold and jewels of an eastern court, as they listened to the words of some saintly philosopher seated on that very pulpit. Yet not one of these scenes recals a crime famous in the foul annals of this world's history, and the saddest spot in the fallen city is that little cloistered court where, amid rank grass and straggling *serifa* trees, plain blocks of stone cover the resting places of the able Mahmood and his noble wife, at the foot of the marble sepulchre of their son, the king, traitor, and exile, Hossein.

Digitized by Google

ART. VI.—1. *Act X. of* 1859.

2. *Rulings of the Sudder Land High Courts in Rent Suits.*

3. *Minute of Sir Barnes Peacock.*

4. *Unpublished Minutes of the Judges of the High Court.*

5. *Bengal Ryots, their Rights and Liabilities.*

WE do not perhaps go too far in affirming that Act X., as modified by the High Court rulings, would scarcely be recognised by its framers. Now-a-days a Collector can never decide even the simplest case affecting a right, without much inward trembling lest in the arcana of his Hume or Chapman there lurk some vague construction—some dimly worded gloss—upsetting his logic, and barely leaving him his facts. The sub-divisional officer with heavy enhancement file sighs for butwaras, settlements, acquisitions—anything, in fact, as a relief for his puzzled wits. Men thought a few months ago that the judgment of the Chief Justice in Hills, *v.* Ishur Ghose had, however questionable its dicta might seem to many, yet given them something to stand upon. But now that judgment itself is shaken and disturbed—while the principles on which it rests have by two of the judges been set at nought.

The Courts, then, having failed to give us satisfactory expositions of the law, have taken the lead in demanding its amendment;—and elaborate minutes have been written by the judges, in which, while the necessity of reform is admitted by all, there is yet considerable diversity of opinion as to the direction it should take, and the extent to which it should be carried out. Let us however hope that when once the work is begun, it will be done carefully and well—that legislators will be 'apt to think—'slow to speak.'—

> Not clinging to some ancient Saw;
> Not mastered by some modern term;
> Not swift nor slow to change, but firm;
> And in its season bring the Law.

It may seem to many very stale and unprofitable to descant upon a subject worn so bare as Act X. of 1859. But we hold that every attempt, however feeble, to promote discussion of a measure so important as its revision, is worthy of some attention, and may be potentially, if not intrinsically, useful.

It will not be difficult to sketch in outline the course which

Digitized by Google

legislation will probably take. And if we venture here and there to point out how in our individual opinion, that course might be most advantageously shaped, we shall but 'affect to 'nod' in regard to topics which every planter's assistant professes able to discuss. We wish the whole to form a general answer to the 'cui bono?' which will soon be in everybody's mouth. Who will be the gainer? This is a query which will be more easily responded to by considering who ought to gain, and who at present can best afford to lose.

In the first place, then, the revised law should supply an omission by laying down clearly who are included under the term, 'ryots.' The High Court in one case have held that persons possessed of an intermediate interest between the zemindar and the actual cultivator are not 'ryots.' In another case they decided, that a defendant could not be a ryot, because the quantity of land held by him forbad such a conclusion. We think both of these rulings bad—the first as being opposed to immemorial custom,—the other as being vague and indeterminate, making the pleasure of the judge the measure of a right.

It will not be an easy matter to say in so many words who are to be 'ryots,' who 'squatters', and who the higher—'inter-'mediate holders.' There is nothing in the terms themselves to guide us. Philology and analogy are here but broken reeds. The true divining rod in all such cases is concrete historical inquiry. Such inquiry would have shown, that however true it may be that originally only the actual cultivator was the Ryot of the Sovereign, such a definition has long since failed to apply. It would have shown that the original ryot held a vendible, transferable right, that in many cases without ceasing to be the responsible rent-giver, he had ceased to be the actual cultivator, and yet had not developed into the modern talukdar.

Either the scope of the term ryot must be arbitrarily narrowed, and the rights defined of those who would then become the non-descript holders, or we must, leaving it its wider and usual meaning, remove from it, by definition, all the uncertainty and confusion which at present surround it. This will be best done by laying down the extreme boundaries, and then declaring that whatever is found within these is a 'ryot', or as the case may be. Border cases may be provided for by illustrations.

The next step should be a proper classification of ryots and talukdars. And this will doubtless be the most difficult part of the whole business, the most open to discussion before, and to civil after, the passing of the act.

There can be no doubt but that ryots, and others who have held at a fixed rate from the time of the permanent settlement,

Digitized by Google

are, by the custom of the country and the sanction of law, entitled to hold at such rates still. But we think it very unfair that the mere fact of a man's having held for twenty years on these terms, should raise such a strong legal presumption in his favour, as to throw the onus of proving a change of rate after 1790 at once upon the zemindar. It is simply impossible for an English landholder, unless in very exceptional cases, to obtain any reliable documentary proof connected with the working of his estate before his coming into possession. We think some proof, direct or inferential, of the nature of his tenure, should be required from the ryot. Proof for instance, that his had been recognised as an Istemrari or Mokurreri tenure by some former zemindar, or that amid a general change of rates all round his own had remained fixed. This would raise a fair *presumptio juris* in his favour, and the onus of proving a change might then equitably fall upon the landlord.

Next we come to the ryot having a mere right of occupancy. And here again it seems very clear that the view taken by the High Court in the case of Ishur Ghose is historically wrong and opposed to custom. A 'right of occupancy' does not imply a mere right to hold so long as no other ryot offers a higher rent. The words themselves imply more than this. Rent in this country is in reality, not rent at all in a Malthusian sense. The principles of political economy apply only to rents settled by free competition. In the Mofussil there is no such thing known; and the principle, if introduced among a population almost purely agricultural, would result in a cottier system of pauperism and misery. The custom, then, or theory, of rent here, has always implied a limitation of the landlord's demand long before it reached the point assigned by Ricardo as the limit on his system. We look back to times when the Hindu family was not a thing of the past. Then the primary right to succeed to the village fields, and to hold these at more moderate rates than those accorded to squatters and pykushts, was the 'right of 'occupancy' claimed by all resident members of the family village, and was never seriously questioned by the zemindar. And this is what their successors are historically entitled to now. But *who* are their successors? The Hindu village is broken up. Railways, indigo, and execution of decrees, have changed the face of the country and the owners of the soil. And 'length of 'possession' takes the place in these uncertain days, of the 'right 'of occupancy,' or itself creates it. Act X. carries this new principle to its extreme limit,—and makes the squatter of twelve years ago the occupancy ryot of to-day. We feel perfectly safe in affirming that the new act will radically remedy this. The minute

Digitized by Google

of Sir Barnes Peacock was principally directed against this anomaly. But in remedying it we fear there is a tendency in some quarters to go too far, and to leave all, save permanent, settlement ryots, at the mercy of the zemindar. We hold, on the contrary, that Government having now repeatedly endorsed the principle, that length of possession confers rights similar to the old village rights,—cannot consistently depart from it altogether. Nor indeed will it do so. The term of twelve years as fixed by section VI. will be lengthened, probably doubled. But we would insert a proviso, that if it can be shown that the custom of any particular district before 1859 conferred rights of occupancy after a shorter holding, the ryot should get the benefit of it. We would also hold out a premium to improvement, by giving in some way a preference to those ryots who sink capital in their lands.

What then are the advantages to which ryots with a right of occupancy are to be entitled? 'Fair and equitable rates of 'rent'—says Act X., and very hard it is in practice to find what are rates, fair and equitable. It is this enhancement of rent to the fair and equitable limit which has overcrowded our files, created our additional judgeships—and perhaps incidentally helped to fill our jails. We hope sincerely the last count may be found not *proven*. But thus much we may safely say, that in indigo districts, at any rate, the *soreness* of feeling between planter and ryot would be much, very much, less than it unhappily is, had not the enhancement law and the enhancement rulings added another element to the standing quarrel. It is not that the actual rates imposed are in themselves too high—but the sudden rise—and the compulsory choice between a full execution and an indigo contract—tend—the one to lower the standard of comfort,—the other to perpetuate a fear which can, in the nature of it, find outlet only in hate. We are not so absurd as to affirm that rents ought not to be enhanced—but what we say is, that Government has—rightly or wrongly—endorsed the principle, that length of occupancy shall create a right to occupy; that the High Court has in a one-sided and historically erroneous judgment set this principle at defiance;—and that if we are to act fairly by the cultivators, we have still to redeem our protective pledge and definitely limit the landlord's demand. How this may best be done has probably been the subject of full discussion during the recent consultations regarding the revision of Act X. It has been proposed by some to appoint a sort of statistical committee who shall within certain given districts fix authoritatively the values of land. Their reports would be based on calculations derived from the average value of the different products during a certain number of preceding years. But

Digitized by Google

it is scarcely necessary to point out how certainly this would fail in practice. There is at the outset no necessary connection between the data of the calculation, *i. e.* the prices of products, and the corollary to be derived the value of the producing agent. We cannot however expect that any scheme suggested will be perfect either in theory or pactice. Every measure must be in some degree arbitrary and tentative. Custom is always an arbitrary thing; and we have said before that competition does not affect our Indian land rent. Anomalies we must have under a paternal Government. As, for example,—we fix the price of the land—though if a city were being starved by the Mahajuns, we would not fix the price of the produce.

We think some scheme might be devised whereby the courts might be relieved of the special jury work of fixing the rates of half the petty holdings in Bengal.

Put the ryot with a right of occupancy more in the position of a small farmer entitled to a lease on terms proportionately more favourable than those offered to 'tenants at will;' the rates payable by the latter could always be found; competition alone settles them: take off so much from the full rent, economically speaking, as allowance for 'right of occupancy;' so much as interest on capital (if any) actually sunk by the ryot: (in this, however, the zemindar should have a share, that is to say, the full interest should not go to the ryot, the land itself not being his:) fix the *proportion* of rent allowable for right of occupancy, the *rate* of interest, and the *proportion* of that to which the zemindar is entitled for supplying the agent in which the improvements have been carried out: and, theoretically, the thing is done. For example, at the time of making (what would be) the periodical agreement, the rent of a tenant at will in any district is found to be twenty rupees per bigha. It is laid down in the law that a right of occupancy entitles a ryot to a lease at a rent one-tenth less than that of a tenant at will. This makes such a ryot's rent eighteen rupees. But he has sunk fifty rupees in the land, the interest on which is two rupees and eight annas per annum. Allow one rupee of this to the zemindar and strike off the rupee one and eight annas, and this gives us sixteen rupees and eight annas as the ryot's rent. We mentioned above a periodical adjustment. This would be a necessity; for as the country either progressed or retrograded, the arrangements should be open to revision. Every ten years* fresh leases might be given, merely

* The term of ten years has been taken in Section LXXVI. of Act X. as the limit to which a Collector may go in fixing the duration of a pottah. The other conditions of that section might also be made to apply under the system we are now discussing.

Digitized by Google

changing if necessary the actual money rental without altering the proportions in which the law had fixed the remissions.

The above is but a theory, and even while writing it we thank Heaven we are not law-makers bound to work it out into detail. It is perhaps a theory which may have occurred to others. We will however break one lance in its defence. The most obvious objection to it is, that, while professing to deliver the courts from the special jury work of fixing fair and equitable rents, we give them the same work to do in kind, by requiring them to determine rents as fixed by competition at any given time or place. We answer that they determine in the one case an issue of fancy, in the other an issue of fact. Men's ideas of the fair and equitable vary, we had almost said, as their digestions. The process of decision would be much more simple on an induction of facts. The very machinery we require is ready to our hand in the new Registration Act. Registration of leases and declaratory pottahs, with the addition of a statistical register to the office books, will supply all our data. The revised rent law might enact that a pottah should always be registered, and should contain a specification of the different kinds of lands leased, and the rates demanded for each; and that, if the lessee had held the land before the giving of his pottah, the date of the beginning of his tenancy should be approximately stated. Any quarrel as to this would be settled by the court on suit under clause 1, section XXIII. Act X. We should thus, within any sub-division, and with very little trouble, be able to determine the rents generally obtainable for any kind of land from ryots without a right of occupancy. On the theory above propounded sections XVII. and XVIII. would be unnecessary. A simple enactment would suffice to the effect, that if, during the running of his ten years' lease, a ryot, with a right of occupancy, lost any utility connected with his land by diluvion or act of God, he might sue for an amended pottah.

We agree with the Chief Justice in his remarks on section XIX. No tenant who has entered into a contract of tenancy for a term of years should be allowed to break it unless he can prove *mala fides* or failure of consideration from the other side.

The Sudder Court in Nund Lal Ghose of 31st December 1860, and Ramkisshen Dass, 26th March 1862, laid down that sections XXI. XXII. and LXXVIII. must be read together, and that persons with a permanent and transferable interest are not affected by section LXXVIII. but must be proceeded against under section CV. The new Act should distinctly inform us what in law are transferable tenures. At present our only guide is custom. True, the Sudder in 1855 ruled that tenures, which

Digitized by Google

could not be voided by an auction purchaser at a sale for arrears of Government revenue, were transferable tenures. But the existing Sale Law does not distinctly refer to tenures dating back to the permanent settlement, though not held at fixed rates, which, by the custom of Shahabad (for instance), are transferable by sale and not affected by section 78. The custom of Shahabad protects a ryot holding from 1790 at varying rates. The law ignores him altogether, and leaves him to be classed with twelve year men, who, according to the legal remembrancer, have no transferable rights. Unless we can make a twenty year's holding at varying rates raise a presumption of holding from the permanent settlement,* apart from rates, and consider that as a separate class of ryot superior to twelve year men, we are at a loss how to decide between customary and statute law. All uncertainty of this kind might easily be done away with

To section XXIII. clause 6, we would add a provision enabling the revenue courts to adjudge mesne profits. It would be another great saving of litigation if the collector might entertain pleas of simple set-off, *e. g.* the wages of ryots acting as zemindari servants. These might at any rate be credited in cases of execution of decrees.

Passing rapidly on to sections LIX. to LXIV. we would protest vigorously against the custom of the courts in Lower Bengal. A 'mookhtar'—by whom we mean a professional native attorney, comes in court on the ground of an 'Am-Mookhtarnama.' He represents himself as the agent of the plaintiff. As he 'knows nothing personally of the facts,' he is accompanied by a mohurir who reads off from a slip of paper the particulars of claim. Now we hold that the agent of section LXIV. ought not to be the professional adviser of the plaintiff at all. It is a legal inconsistency that he should be so, for under that section the agent is liable to examination and cross-examination on all the merits of the case, while the law of evidence exempts the legal adviser from such interrogatories. And in practice a mookhtar would refuse to be sworn and examined, pleading as his excuse his professional capacity. The fact is the mookhtar of the present day is ambitious of being two things at once. The Behar practice is much more correct. There the mookhtar or legal adviser appears as such, and the agent also appears properly armed with his 'sunnud karindagi'

* Let x = years from Permanent Settlement; y = rate of rent.
Then x y (or x × y) = 20 + y (or 20 y) by presumption or x = 20, *i. e.* a holding for *twenty* years as good as a holding since permanent settlement!!

Digitized by Google

on eight anna paper, signed by the plaintiff, and bringing with him his 'wakif-kars' or witnesses to facts. Now see how much villainy *in posse* this expenditure of eight annas may prevent. A mookhtar of a large concern has a spite against any ryot you choose. He may file a plaint and carry on a suit against him, and the zemindar or putnidar know nothing of the matter. Whereas if the agent be necessarily one who appears in the suit as a party's representative, and who must produce his authority from the party to appear as such in each case, the confusion between legal adviser and accredited agent ceases to exist, and the court can deal with a responsible person.

Another wretched custom in Lower Bengal cutcherries is, that on the first day of hearing, only plaintiff and defendant appear. Neither by any chance bring their witnesses. But when they have heard each other's stories, and got the issues fixed, and the case postponed, they will both next day *without summons* bring any number of well-tutored witnesses into court. We would enact that if plaintiff or defendant fail to bring their witnesses on their first day of appearance, it shall be in the discretion of the court to order the authorised fees to be deposited for summoning all the witnesses cited.

We hope also to see the procedure in execution of decrees made more regular and definite. Security ought to be exacted in every case from parties intervening and claiming interests with property to be sold. Under the law, as it at present stands, security is only asked from the man who claims an interest in an intangible right, while he who claims a dozen head of cattle gives none. The cattle may be spirited away before the case is decided, while no lapse of time can well affect a transferable under-tenure. And when we get to under-tenures, we must call attention to the iniquitous working of Act VIII. of 1835, the law for the sale of such a tenure for its own arrears. Ten days' notice at the cutcherry of the zillah judge or local adawlut and at that of the collector is all that is required. Need we say that the distress and misery occasioned by the mere want of a locally served notice is sometimes fearful? A poor man who cannot afford constantly to entertain a mookhtar at the collector's cutcherry may be sold out of his 'paternal acres' before he even knows that he has been sued. Surely the provisions of Act VIII. of 1859 would apply as well under section CV. as under section CX. We shall say nothing about distraint and the rules thereof, save that in what experience has come our way, we never yet met with a case which had been legally carried out in all points.

But after all *the* debatable section is section VI. And we would fain see that amended in the interests of all parties. That the

Digitized by Google

Act generally is a failure so far as the intentions of its framers are concerned; that it is less the ryot's charter than the landlord's mainstay; is a fact while no one will deny, and at which we are not now disposed to cavil. We feel fully the many objections which exist to a frequent change of substantive law. But the legislature of 1859 meant this section to be a boon to the ryots. The High Court ruling has made it a farce. Government has morally bound itself to confer a boon, and it cannot honourably continue to sanction a farce. Give words their proper meaning. And if length of holding is to give right to hold, fool not the unfortunate occupant by adding the words, 'if nobody else wants your holding.'

It will be seen that in our opinion it is the ryot who may be expected to gain by any alteration of Act X. It is rather interesting to speculate on the probable effect of some such limitation of the landlord's demand as we have already hinted at. We look on this very sanguinely as the true panacea for the troubles of the indigo districts. We look on it as the means of ultimately emancipating the ryot from the toils of the jote-malik and the mahajun, both the enemies of the planter, and friends only to themselves. The standard of comfort will first be permanently raised, and with that will rise the ryots' self-respect. The Chashamanush will learn to read and write next, the Sheikhs will become Pramaniks, and the Pramaniks each a Biswas. Once a Biswas he is as good as his mahajun socially, and as he is gradually laying by some pice, he soon becomes independent of him and his thirty per cent. Once free from the trammels of money-lenders, and become himself a monied man, he will not stand on a footing of such suspicious antagonism to the planter. Expecting men to keep faith with him, he will himself keep faith with other men. It may be objected that the Bengali who could read or write would never hold the plough. But this would only be true so long as those accomplishments were rarities. Education once general, a literate ploughman would be no more a novelty on the plains of Bengal than on the braes of Scotland. But this will not be in our time.

We may be allowed here a very brief digression. Government could do much in this direction at a very small cost. Half the money which is now expended on anglo-vernacular aided schools might be better employed. The boys are crammed to the eyes with passages of Goldsmith and Addison which neither they nor their masters can understand, while their knowledge of accounts is no greater than that of many a lad who never attended anything but a *pat-shala* in his life. In towns, and for the sons of tradesmen, to provide an education leading to

Digitized by Google

the university may be and is a proper course. But for pure agriculturists it is a great mistake. A cheap vernacular education is all that is at present required. It has been attempted lately to extend the means of procuring this to Mofussil villages by introducing a sort of proprietary system. A dozen or so of the principal ryots combine and guarantee the salary of a teacher,—say ten rupees. This is afterwards made up by the school fees, which, if several villages contribute their proper quota of youth, in time quite indemnify the native 'directors' for their primary outlay. It would be well if this plan were more extensively tried. If Government wishes to spend a small sum in an experiment, a few cases of books and the grant now and then of five rupees a month, would be no small boon.

But to return to our query. A seasonable modification of Act X. will, we have attempted to show, benefit the class most needing it, the ryots. That it will incidentally benefit the planter too might also be demonstrated. It is allowed that a planter, who is not a zemindar, or in some equivalent position, cannot hope to hold his own against the antagonistic feeling of the ryots. A planter-zemindar with prosperous contented ryots would have by far the best chance of extending his sowings. The very money saved from litigation and bad debts would enable him to offer a price for his plant which would pay both sides. Self-interest would develop the existing truce into a permanent union.

That indigo cultivation will ever be what it once was, few will predict. It is not in the nature of things that indigo or tea, or any other staple should, for many years, continue to return exceptionally high profits. What the 'Indigo-Mutiny' did, was to lower profits from within, before the time had come for their being naturally reduced by influx of capital from without. Still when once the American War is over, which while sending cotton up has brought indigo and a score of other things to the very depths, we have every confidence that prosperity at least will be restored. A judicious amendment of the law of rent will ensue its being sooner and more widely felt.

Digitized by Google

ART. VII.—1. *Parliamentary Papers relating to the War in the Crimea, &c. &c.*

2. *General Rose and Stuart's Indian Campaigns. Low.*

3. *General Orders by His Excellency the Commander-in-Chief, 1860—65.*

WE seldom realise, during our own lives, the extent to which posterity will interest itself regarding the careers of those who have contributed to render illustrious the period through which we are passing. Notwithstanding that this is essentially a scribbling age, we fail to perceive that it is at all more fruitful than its predecessors in that careful biography, which lays before us, as they actually were, as they really lived and moved, those who have but lately occupied, or who are now occupying, a prominent place in the historic scene. In fact, the scribbling of the present day is of too desultory a character to be of real or permanent use. Men write, not with a view to enrich the national annals or to advance the cause of historic truth, but, too generally, to gain for themselves a fleeting renown, or to gratify a spurious sort of vanity. Not only do our library tables groan under the weight of three volumed novels,—too numerous to read, and most of them too heavy to digest,—but we have likewise philosophical reflections and paradoxical essays,—many of them displaying, no doubt, an immense deal of ingenuity,—but wanting, almost always, in soundness, in depth, and in common sense. As we examine the majority of these 'brain-sick fancies,' we try in vain to realise to ourselves the cast of mind which could conceive that man is sent into this world to act the part of the casuist and the visionary, to spend his entire life in a vain attempt to unravel problems, which it was never intended he should know, and which, if unraveled, would benefit him neither in this world nor the next. If indeed, worldly wisdom be the only result aimed at, and a man be self-opinionated enough to attempt to acquire that wisdom from books,—why, a single play of Shakspeare is worth more than all the divinations of the modern school of philosophers. On the other hand if the student, before entering the world himself, should wish to see a distinguished man exactly as he lived amongst his contemporaries,—he must seek out a record of his acts, his conversation, his letters, he must

Digitized by Google

pry, if possible, through his writings, into his very thoughts. To do this is always difficult, often impossible. The man himself has disappeared from the scene, and his writings are too frequently so dispersed that they can come under the cognizance of but a few. One by one, his contemporaries, those who stood face to face with him in life, follow him to the silent tomb, and the traces of his inner life become more and more obliterated. But it may be said, that at this point the biographer,—the mole of literature,—steps in. His is no path strewed with garlands. No easy honours are showered upon his progress. No present triumph stimulates his vanity or supports him under the long moments of weary labour. He has to dig and delve into forgotten documents; to search out the links of some story, all the particulars of which have ceased to be remembered; to reconcile the conflicting statements of men who are no more; to give to the dry bones of antiquated memoirs a living vitality. It is too often, in fine, a labour, which, like the wheel of Sysiphus, seems ever to recur;—a work, which, always accumulating under newly found materials, seems to defy industry, and to impose a limit even upon perseverance. The result, too, is seldom satisfactory. We have presented to us, an image certainly, the form and fashion of a man who might have lived,—but too often, the resemblance to the actual sitter for the portrait is scarcely discernible, and the peculiarities by which he was distinguished in his lifetime, are not seldom, in the picture, 'conspi-'cuous by their absence.'—Not so, however, with the writer who attempts to portray a living man. This is a real representation. The artist and the sitter have lived in the same age, have associated with the same people, have taken parts,—though often very different parts,—in the same drama. The atmosphere has been alike to both, and thus, if the portrait be drawn with spirit and truth, with a sincere desire to show things as they were, it must be invested with a reality, in which the portraits of those who have lived in a distant age are necessarily deficient.

There have been few more eventful periods of general history,—none, certainly, of Indian history,—than that through which we have passed during the last seven years. In that interval many great and noble characters have risen to the surface, but what do we know of them? It is true that we have been presented with a likeness of Havelock—that pioneer of victory. It is understood also that a life of Sir Henry Lawrence is now being undertaken by the eminent soldier-political who is best qualified to write it. But what do we know of Nicholson, that real Genius of War? So far as we are aware, not even a magazine article has been devoted to his brilliant

Digitized by Google

career. Is the story of that career to die? He had friends, admirers, relations. Is there no one to come forward to give that heroic character to the world, before the eyes of those who have seen him on the scene of his exploits and who could tell of his deeds, have been closed by death? Is the career of one who was the greatest ornament, the proudest boast of the Indian Army,—who was at once its hero and its model,—is that career to be allowed to pass out of sight unrecorded? Cannot those who have given to the world the '*copia 'verborum*' of their own exploits, cannot they spare a few half hours to write their reminiscences of the man to whom all are so much indebted? We never met an Indian Officer who had seen him who did not acknowledge in Nicholson the foremost man of the Indian Army. They owe it, then, to his memory, that his name should not be left to wander up and down the dull pages of some dogmatic history, but that a literary habitation should be found for it, not unworthy of the hero.

But, whilst according to Nicholson all the honour which his character and his great achievements demand, we must not forget, that, in another part of this country, there were occurring about the same time events of equal moment,—events fraught with the fate of Western and Central India, and upon the result of which, too, the action to be taken by the princes of Southern India, in all probability, depended. We will not here anticipate the story we propose to tell, in this article, of some of those events. We will confine ourselves to the remark, that there was a peculiarity in the character of the General who reconquered Central India, which asserted itself on every occasion, and which materially influenced the fortunes of the campaign. This peculiarity evinced itself in a firm determination to succeed at all hazards; to recognise no such obstacle as 'impossibility;' to be foiled neither by deficiences in his own camp, nor by superiority of numbers in the camp of the enemy; to regard even disease itself, though attacking his own person, as something to be trampled upon and disregarded. It showed itself likewise in greater things than these. The General who reconquered Central India had gained, either from reading, from experience, or from intuitive perception,—or, perhaps, from a combination of all three,—so complete a knowledge of the 'morale' of an Asiatic foe, that, at a time when the pre-revolution tactics of Austrian army were in fashion in this country, he never lost an opportunity of seeking his enemy where he was to be found, of beating him when he found him, and of following him up to utter destruction when he had beaten him. More than any other Commander of modern days did this General

Digitized by Google

realise the eloquent description, given by Sir William Napier, of the battle of Napoléon ;—that it was 'the swell and dash of a 'mighty wave, before which the barrier yielded, and the roar-'ing flood poured onwards, covering all things.' When we recall to mind that this is the General who has commanded the Indian Army during the past five years,—five years of such momentous changes that they might correctly be termed years of silent revolution,—we think we shall be performing a service, not only to the military world of India, but to the military world of Europe, if we lay before the readers of this Review, in a rapid and continuous outline, the main facts of a career which is not only full of interest, but which offers also so much that is worthy of study as does the career of Sir Hugh Rose.

Sir Hugh Rose entered the Army in the year 1820, as an Ensign in the 93rd Sutherland Highlanders. He obtained his commission at a very early age, and,—his father being at the time envoy at the Court of Berlin,—leave was given to him to complete his military education in,—as it was then considered,—that great military capital of Europe. He here enjoyed the advantage of the best instruction which that age was capable of affording. He was subsequently appointed to the 19th Regiment, and, in consequence of the special recommendation of its Commanding Officer, was given an unattached majority by purchase after only a little more than six years' service. Whilst still serving in the 19th, Lieutenant Rose's name was mentioned in division orders by the Major-General Commanding the district for the great gallantry he displayed in completely beating off, with only eight men, overwhelming numbers of the peasantry in the country of Leitrim, who endeavoured to take from him the gauger, still, and prisoners whom he was escorting.

Soon after obtaining his majority, Major Rose was appointed to the 92nd Gordon Highlanders, and served with them eleven years. The Regiment was much employed in Ireland, chiefly in suppressing disturbances in that then distrusted country. On Major Rose devolved the duty of putting down Tithe and Monster meetings in Tipperary and the adjacent counties. Such was the opinion then entertained of the young Field Officer by Lord Vivian, Commander of the Forces, that he authorised him to collect troops from the several stations, and gave him discretionary powers as to the manner in which he should act so as to repress and put down these illegal assemblages. Major Rose accomplished this very rapidly and very effectively. He acted on this occasion, as in his after career, on the well known, though practically little accepted, principle, that he

Digitized by Google

gives twice who gives quickly. He moved his troops by long marches with such celerity from one meeting to another, that the dispersion of the rioters was complete, and a few weeks saw not only Tipperary, but the neighbouring counties, freed from those vast gatherings, which had caused so much alarm in England as well as in the sister island. For his services on this occasion Major Rose received flattering acknowledgments from the Lord Lieutenant of Ireland, the Marquess of Anglesey; from the Commander of the Forces, Lord Vivian; and from Sir George Bingham, Commanding the Cork District. But his conduct received even a higher recognition. The present Earl of Derby, than Mr. Stanley, and Secretary for Ireland, addressed Major Rose a letter, conveying entire approval of his conduct, and conferring upon him the Commission of the Peace. This was not only a compliment, but it served greatly to strengthen Major Rose's hands in the difficult duties which devolved upon him as commanding the detachments in the county of Tipperary.

Nothing occurred to break the ordinary routine of duty till the year 1840, when Her Majesty's Government determined to detach several officers of the army to Syria, to act, in conjunction with a naval force, in assisting to restore that country, made over by French influence to Egyptian rule under Mahommed Ali, to the Porte. Major Rose having applied to be employed on this service, was sent to Syria with the rank of Lieutenant-Colonel and Deputy Adjutant-General. Several other officers accompanied him,—all being under the supreme direction of Brigadier-General Michell, R. A., C. B., an officer of considerable reputation. Soon after their arrival in Syria, it happened that an Egyptian Bey attempted, at the head of a well accoutred force of cavalry, to surprise the camp of Omar Pasha at Mejdal in Palestine. Colonel Rose, who had wandered accidentally in the direction of the Egyptian outposts, noticed the movement, and, hastily collecting a few ill-armed Bedouins, who happened to be close by, he charged down upon the Egyptian horse. In the hand to hand encounter that followed Colonel Rose received two or three slight wounds, but he succeeded in completely routing the enemy, killing several of them. He himself, with his own hand, wounded and captured the leader. For this 'dashing and gallant conduct', as it was described by Sir Robert Stopford and General Michel, Colonel Rose was rewarded with the Turkish order of the 'Nishan 'Iftihar' in diamonds; he received also a sabre of honour from the Sultan; and for this and other services in Lebanon, his Sovereign bestowed upon him the military companionship of the Bath.

Digitized by Google

But a time was fast approaching when an opportunity would be afforded to Colonel Rose of showing that, dashing and gallant though he was, he possessed other qualifications for employment in the public service. Not long after the termination of the war in the Levant, General Michel died; Colonel Bridgeman, the previous second in command, had gone before him; and upon Colonel Rose devolved the command of the British staff officers and detachments in Syria. Their presence in that country however had long been looked upon with disfavour by the foreign embassies at Constantinople, and it had already been resolved that they should be recalled. But the services of Colonel Rose had been so valuable, and they had been so highly appreciated by the then Secretary for foreign affairs, Viscount Palmerston, that it was resolved that he should be retained. On the withdrawal of the other officers, therefore, Colonel Rose received the special appointment of Consul-General in Syria. This appointment conferred upon him diplomatic powers of a very extensive nature. Its duties were naturally new to him, but the qualities he had already displayed had produced in the mind of Lord Palmerston the conviction, that Colonel Rose was admirably suited to the difficult task of upholding the Turkish and British, against French and Egyptian, policy, in that quarter of the globe, and the result proved that he judged correctly.

The situation was by no means an easy one. To manage it, indeed, required essentially a light and steady hand, a discriminating judgment, a quick eye, and an invincible firmness. The complications, foreign as well as domestic, were endless. Neither the French nor Egyptians could forget that Syria was lost to their policy. As little could the Roman Catholic Maronites, and the half Pagan, half Mahomedan, Druses, cease to remember their hereditary feuds. To maintain an equal balance between these contending parties, to preserve Syria to Turkey, to see through and baffle the intrigues of the rival powers, were the duties that devolved upon the British Consul-General, and they were duties which demanded the most incessant watchfulness. No doubt, a well devised double-administration under the Suzerainty of the Porte would have preserved peace between the Maronites and Druses, had it been possible for France to have ceased her intrigues, and for Turkey, on such a question, to have acted with good faith. But that was not possible. Colonel Rose however succeeded in confining within verbal limits the feuds between these rival factions. He was particularly careful to impress upon the Maronites, whose fanaticism had been raised to a high pitch by the promise of support

Digitized by Google

from France, that though the whole moral influence of that great Catholic power might be employed to better the position of her co-religionists in the East, she would never, in the face of defiant England, send a single soldier to improve that position by force. It was fit indeed, that an official with a strong purpose should be on the spot, for a storm was brewing, and the hopes of the contending parties rose and fell with each point of the electric needle.

Colonel Rose's exertions in this difficult position were so well appreciated by the English Government, that Lord Palmerston took the first opportunity of bringing him into the regular diplomatic service, by appointing him Secretary to the Embassy at the Porte. On the ambassador, Lord Stratford de Redcliffe, going on leave, Colonel Rose succeeded him as Charge d'Affaires of the embassy at Constantinople. In this post, Colonel Rose enjoyed many opportunities of acquainting himself with those secret springs of action, which, far more than open and avowed pressure, constitute the moving power in an Eastern Government. His quick eye soon discerned that Russia was preparing a secret blow which should render her the real mistress of Constantinople. It was by secret missions, covered though they might be by the pomp and circumstance attending splendid embassies, that Russia had always worked her way at Constantinople. During the period when Lord Ponsonby filled the post of ambassador at the Sublime Porte, the constant intrigues of Russia had demanded the incessant vigilance of that nobleman, and had proved the most powerful enemy of his repose. Yet, notwithstanding his unremitting watchfulness, the treaty of Unkiar Skelessi had been concluded without his privity. By this treaty Constantinople had been placed in such a position, that it seemed that Russia had but to give the word to take formal possession of it. And in 1853-4 every indication was given that, in the opinion of the Emperor Nicholas, the time for giving that word had arrived. A great and special embassy was despatched from St. Petersburg, headed by Prince Menschikoff, a personal favourite of the Czar, and a man of an overbearing and even insolent demeanour. Such a man was well calculated to overawe the ministers of the Sultan and to carry out the real object of Russia's secret policy,—her assumption of the protectorate of all the subjects of the Porte of the Greek persuasion,— constituting, in European Turkey, a great majority of those who owed allegiance to the Sultan. Now, as, in addition to their being the majority, these Greeks are likewise the most intelligent and the most powerful of the subjects of the Porte, the policy of Prince Menschikoff was

Digitized by Google

simply the assertion of the supremacy of Russia over the larger portion of the European subjects of the Sultan,—the first and surest step to ultimate sovereignty over the whole.

More like a sovereign prince than the servant of an ally, Prince Menschikoff commenced his mission by a demand for the dismissal of Fuad Effendi,—a minister whom he regarded as belonging to the anti-Russian interest. This demand, insolently put forward,—made, in fact, with the sole view of displaying the greatness of Russia to the startled people of Europe,—was at once complied with. The obnoxious minister was dismissed, and then, Prince Menschikoff, deeming the ball at his foot, developed, perhaps rather too incautiously, the secret object of his mission. We have used the term 'rather too incautiously,' because it is quite probable that the Russian ambassador traded on the absence of Lord Statford de Redcliffe from his post. He possibly thought that the fact that this determined enemy of Russian aggression was in England, afforded him the best opportunity of pressing his master's demands upon the Turkish Government. But, if he argued in that way, he deceived himself. Not even Lord Stratford de Redcliffe, skilled as he was in foiling Russian manœuvres,—not even Lord Stratford could have watched with a keener or more penetrating glance the movements of Prince Menschikoff than did Colonel Rose. So far as the manœuvres of the insolent agent of the Czar could be fairly met, he met them. In open warfare, he was the undaunted representative of British interests. In secret manœuvring indeed, an Englishman always feels less at home than a semi-Asiatic; but in watchfulness, in promptitude, in decision,—in all the requirements, in fact, which depend upon the action of a manly mind, Colonel Rose could not have been surpassed.

But a crisis that would test all these qualities was fast approaching. Prince Menschikoff, finding that his previous demonstrations had not produced their intended effect, and seeing that the time had arrived, when, if he did not wish to be baffled, he must take a decisive step, made those demands upon the Sultan, which, if complied with, would have rendered him absolutely subservient to the Russian power, and have involved, in addition, a complete infraction of the quadruple treaty of 1841, of which England was one of the guarantees. In this difficulty, the ministers of the Sultan, who had already had ample experience of the firmness and good faith of the English Charge d'Affaires, informed Colonel Rose, that they would be compelled to give way to Prince Menschikoff, and that Russian policy must triumph, unless some positive and material guarantee were given them that England would support them in

Digitized by Google

opposing the Russian demands. On Colonel Rose endeavouring to ascertain more definitely the nature of the guarantee they required, it came out, that they would be satisfied with nothing short of a material pledge, and they suggested that Colonel Rose should call up the British fleet from Malta to the mouth of the Dardanelles, or to the neighbouring waters.

This was surely a position to try a man,—to test the stuff that was in him. It should be remembered that Colonel Rose was not the appointed representative of England at the Ottoman Porte; he was acting in the absence of his Chief. That Chief too was a man of wide-spread European reputation, of great influence at Constantinople, where for years he had succeeded in making his will respected. The acting for such a man doubled the responsibility of the acting officer, in that a false step on his part, made during a few month's tenure of office, would be more prominently noticed by the public, when contrasted with a career that for seven years had been marked by uniform success. On the decision arrived at in this crisis depended too the issues of peace or war. Had Colonel Rose, for instance, informed the Ministers of the Sultan, that, with the best will in the world, he could not take upon himself the responsibility of ordering up the fleet from Malta, the Porte would have succumbed, Russian policy would have triumphed, but there would have been no war. To order up the fleet, was to pledge England to action. It was to assure Turkey of material aid in resisting Russian aggression. For any official, especially for one only acting in his post, this was a very grave consideration, a very weighty responsibility,—a responsibility which would certainly have made the nights of many sleepless, and their very lives a burden.

Colonel Rose however never hesitated. The only responsibility he regarded was the strict performance, without fear of consequences, of that which he conceived to be his duty. With the treaty of Unkiar Skelessi before his eyes, and knowing that Russia was now demanding something more even than was conceded by that fatal arrangement, he felt that the time had arrived when, if ever, a check must be given to the encroachments of that Power. He informed the Porte, therefore, that if they would refuse to assent to the illegal demands of the Russian Ambassador, he would ask the British Admiral to assume a position with regard to Constantinople which would leave no doubt that Great Britain would not consent to the enforcement of the Russian demands. This was sufficient. The Porte, appreciating the advantage of the move, and seeing that it was a checkmate to the Russian Ambassador, delayed a reply to his

Digitized by Google

demands, but at the same time, made no secret that they had asked for, and that the representative of the British Government had consented to, the appearance of the British fleet somewhat nearer Constantinople.

We may pause for a moment to consider all the circumstances attending this line of action. The importance of the crisis cannot be exaggerated. Prince Menschikoff was at Constantinople, with his grasp on the throat of the Sultan, and endeavouring to force from him his consent to an arrangement which would have been the death-warrant of the Turkish Empire. The Sultan himself appeared inclined to yield. He did not place much dependence upon England. The English ministry had indeed all along failed to perceive the importance of the crisis, or the proper mode of meeting it. They believed that the moral influence of England, exerted on behalf of Turkey, would be sufficient to induce the Czar to recede, and they feared that the smallest physical demonstration on our part would be regarded as an insult to the dignity, the honour, the unblemished good faith, which they publicly attributed, and privately denied, to the Russian Emperor. They dreaded moreover lest the Czar should seize upon any display of force as a pretext for accomplishing the great object of his ambition. It was fortunate that Colonel Rose was quite free from the delusions which paralysed the action of the British Ministry. The last movement of Prince Menschikoff had convinced him that it was absolutely necessary to satisfy Turkey, by something stronger than words, that England would not allow her to fall undefended. He felt, in fact, that it was necessary not only to act, but to act on the moment,—to strike a counter-blow to this stroke of Prince Menschikoff, to commit England, as far as he could commit her, to something more than a protest against this arbitrary infraction of the common law of nations. He therefore unhesitatingly sent a requisition to Admiral Deans Dundas, then Commanding the British fleet at Malta, to proceed at once to Besika Bay.

Admiral Dundas, bound to comply with the requisition of an Ambassador but not of a Chargé d'Affaires, declined to leave Malta. His refusal, however, was of no great consequence. It was the refusal of one of the machines, and not of one of the motive powers, of the English Government. The fact that Colonel Rose had sent for the fleet gave to the Turkish Government a feeling of confidence which enabled them to reply in no submissive tone to the arrogant demand of Prince Menschikoff. The certainty they now possessed of the support of England inspired the Turkish Ministers with a spirit to which they had long been strangers. None knew better than they that there were ten

Digitized by Google

divisions of picked Russian troops always ready at Sebastopol for immediate operations, and they were well aware that they had nothing to oppose the disembarkation of such a force at the mouths of the Danube, or under the walls of Constantinople. Their non-compliance with his demands came, as a surprise, to Prince Menschikoff. It announced to him not only the failure of his great *coup*,—the certain success of which he had already heralded to his master,—but it discovered to him also that his attack had recoiled upon himself. This attack had indeed provoked the assurance of that material support from one at least of the great Western Powers, the possibility of which Prince Menschikoff had constantly derided. Too careless in his arrogance to look closely into matters, he had believed that the English had thrown away their last trump-card when they permitted Lord Stratford to proceed to England. His mortification, then, may be imagined, when, on leading the ace of his strong suit, he found that it was trumped by Colonel Rose.

We have stated that Admiral Deans Dundas declined to comply with Colonel Rose's requisition. In this conduct he was supported by the British ministry, but not by the Britisb public. With a true instinct, the people of England discerned that Colonel Rose had done the right thing at the right time, and it was the common belief that the admiral's refusal to act would only the more firmly rivet in the mind of the Czar the conviction he had entertained from the outset, that the English ministry were prepared to go to any lengths to defend Turkey, except to commit England to war. Whether, at that period, the Czar had proceeded too far in his violent courses to retreat with dignity, may be doubtful; but had his judgment been sufficiently cool at that epoch to view matters in their natural light, it cannot be doubted but that the prompt carrying out by the British Government of the statesmanlike and decisive measure initiated by Colonel Rose, would have contributed more than anything to change his opinion. When, a little later, the continued aggressive conduct of the Czar opened the eyes of the members of the Aberdeen Cabinet to the policy and wisdom of Colonel Rose's conduct, and they ordered the fleet to the Turkish waters, the fatal 'too late' stepped in between the order and the result they hoped for. The Czar had, in the meanwhile, pledged himself too deeply to his ambitious projects in the face of Europe, and he could no longer withdraw from them without the loss of that prestige which he valued more than power.

But we are not writing an account of the diplomatic errors of that memorable period. Sir Hugh Rose, at all events, can

Digitized by Google

look back to the part he played in those struggles with a pardonable pride. Soon after the occurrence to which we have referred Lord Stratford returned to his post, and almost his first act, after making himself master of the events which had occurred during his absence, and after taking in the actual state of affairs, was to stamp with the approval of his vigorous intellect the acts of his *locum tenens*. Every one knows what followed his return. When at last the scales dropped from the eyes of the Czar, and he saw that the English were prepared to fight if he did not yield; when he realised the fact that the astute Emperor of the French, apparently, and only apparently, following their lead, was resolved to support them, he had committed himself too far to retreat, and war was inevitable.

War followed. Colonel Rose, released from his purely diplomatic functions, was appointed Queen's Commissioner at the Head-Quarters of the French Army. In this capacity, he and two other officers appointed at the same time,—Colonel Claremont, and Major the Hon'ble St. George Foley,—were the organs of communication between the British and French Head-Quarters. They were consulted by the French Generals in all matters relating to Lord Raglan's army, and were present in *all* the battles and operations before the enemy, being entrusted with the delicate, and often difficult and dangerous, duty, of conveying the communications between the French Marshal and the British Commander-in-Chief. To narrate each individual action in which Colonel Rose was engaged would be to narrate the history of the Crimean war. It will be sufficient to state that Colonel,—then promoted to Brigadier-General,—Rose was recommended for the cross of the Legion of Honour after the battle of the Alma; that he was constantly mentioned in the Despatches, published in the *London Gazette*, for distinguished conduct in the French trenches and at the battle of Inkermann, where he had two horses shot under him. It deserves to be added, that Marshal Canrobert, then Commanding the French Army, recommended General Rose for the Victoria Cross for his gallant conduct on three different occasions, and that the claim was not preferred, solely because General Officers were expressly excluded from this decoration. For his services in this war, General Rose received the Turkish Order of the Medjidie, was made a Knight Companion of the Bath, and was promoted to the rank of Lieutenant-General, 'for distinguished 'conduct in the field.'

But a short time elapsed before the reputation gained in the Crimea was tested in a far different field. The Indian mutiny caused a demand upon England for generals of the highest

Digitized by Google

promise, and, amongst others, Sir Hugh Rose was directed to repair to the scene of warfare. He was sent to Bombay, and, very soon after his arrival there, in the autumn of 1857, he was ordered to proceed in the direction of Mhow, to assume command of the force, acting in Malwa, and which was afterwards termed the Central India Field force. One division of this force under General Woodburn had marched from Bombay in June in the direction of Mhow. On arriving at Aurungabad however, its destination seemed so uncertain to Colonel Durand, the Governor-General's Agent for Central India, and who had been driven from Indore by the mutinous troops of Holkar, that that able officer hastened to the South, in order, by his personal influence, to direct its movements. Colonel Durand met this force at Asseergurh, and so impressed his strong character on the direction of its movements, that not only was the rebellious Fort of Dhar taken, but Neemuch was very seasonably relieved after two actions fought at Mundisore. These victories not only broke the spirit of Holkar's mutinous soldiers, but cowed them so completely, that at Indore they ignominiously laid down their arms before the man whose life, only a few weeks earlier, they had treacherously attempted. We would willingly pause to dilate upon this little episode of the mutiny. It is an episode which is but little known, and which the unassuming reticence of the chief actor in it has kept hidden from the outer world. It is however foreign to our present subject. We will only say of it here, that there are few passages in any history which tell of more unselfish devotion, more firm wrestling with adverse fortune, more prompt and ready action in difficult circumstances, than were evidenced, from the time of the outbreak at Indore on the 1st July, to that of the battle of Mundisore in the last week of November 1857, by Colonel Durand.

It was after this battle of Mundisore and the relief of Neemuch, which followed it immediately, that the force proceeded to Indore, and here, on the 16th December, it was joined by Sir Hugh Rose. The first instructions which Sir Hugh had received were to detach one of his brigades along the grand trunk road to Gwalior, whilst he himself should march the other brigade into Bundlekund viâ Saugor, relieving that place on its way. These two brigades were to unite at Calpee on the Jumna. Subsequently however it was decided that a Madras column under Sir George Whitelock should march to the relief of Saugor and for the pacification of Bundlekund, co-operating for that purpose with the little army under Sir Hugh Rose.

The force under Sir Hugh's immediate orders at this time consisted of one troop of horse artillery, one light field battery, two

Digitized by Google

eight pounder guns, two eight inch mortars, two five and a half inch mortars, one eight inch howitzer: of Cavalry, a squadron of the 14th Light Dragoons, a troop of the 3rd Bombay Light Cavalry, and a troop of Cavalry of the Hydrabad contingent: of Infantry, one European Regiment, one Bombay native regiment; one regiment of the Hydrabad Contingent. The same Contingent also furnished two six pounder guns, and detachments from two other infantry regiments. Attached to the force also were some Bombay and Madras sappers and miners.

Sir Hugh stayed a short time at Indore to organise his force, and to arrange so as to co-operate with Sir George Whitelock, but, finding that this latter Officer could not be so early in the field as had been hoped, and learning that the necessities of the invested officers at Saugor were very great, he resolved to diverge from the plan of the campaign, and march himself to the relief of Saugor. On the 8th of January therefore he quitted Indore, and passing through Bhopal, where he was warmly welcomed by the Begum and assisted by supplies and a contingent 800 strong, he arrived before Rathgurh on the morning of the 24th.

This Fort 'said to be larger and as strong as that of Mooltan,' and which had resisted a very large force of Scindia for five months, is situated near the high road from Indore to Saugor, and commands the neighbouring country. It is distant but thirty miles from Saugor, and it had been occupied in force by the rebels, as the best mode of hindering the relief of that place. It is described as being very strong,— 'the east and south 'faces almost perpendicular—the rock scarped and strengthened 'by a deep rapid river running close beneath from east to west; 'the north face looked along the densely jungled hill, and was 'strengthened by a deep ditch some twenty feet wide; the west 'face overlooked the town and Saugor road, in this face was the 'gateway flanked by several square and round bastions. 'The wall to the north side was strengthened by an outwork 'looking like a second wall. Along each face were strong bas-'tions commanding various points, and also in the four angles. 'Approach from the east and south was next to impossible; 'approach from the west or town side almost as difficult.' *

Sir Hugh arrived before this place on the 24th January, and found the enemy posted in some strength on the banks of the river. Having attacked and dispersed these, he at once invested the Fort, and selected sites for his breaching batteries. These were ready for opening fire on the night of the 26th, and all that night, the whole of the following day, and on the 28th, a brisk fire

* Dr. Lowe.

Digitized by Google

was kept up. On the 28th, however, the Rajah of Banpore moved forward with a force of revolted sepoys and Villaities, to relieve Ratgurh. He advanced on the rear of the investing force with standards flying and with an apparent confidence seldom manifested by the rebels. The approach of this force was seen by the garrison, and their fire on the investing army redoubled. Sir Hugh, however, without for a moment relaxing his fire on the fort, detached some troops, consisting mainly of cavalry, to drive back this new enemy. The appearance of these troopers was sufficient; the rebels did not wait to be charged, but, throwing away their arms and ammunition, made off into the jungles. The garrison of Ratgurh, disheartened by the ill success of their allies, silently evacuated the Fort during the night, escaping by a path, the precipitous nature of which would ordinarily be considered sufficient to deter men from using it. Their escape, regrettable in one sense, was not perhaps on the whole to be lamented, for the Fort itself was so strong, that a few resolute defenders could have held it for a long time against very superior numbers.

After taking Ratgurh, Sir Hugh marched with a portion of his force to Barodia, fifteen miles distant, to complete the discomfiture of the Rajah of Banpore. He found the enemy posted on the banks of the river Bina, determined to resist his passage. But Sir Hugh, at once attacking him, drove him from all his positions, and inflicted upon him a loss of four or five hundred men. There was considerable bush-skirmishing, and the enemy fought unusually well. We lost two officers killed, and six wounded. The enemy's defeat, however, was complete, and the Rajah, wounded, was compelled to flee on foot through the jungles. The immediate consequence of these operations was the relief of Saugor. This was effected on the 3rd February, after the place had been invested nearly eight months.

Thus had the first object of the campaign been effected. The next was the recapture of Jhansie, and the infliction of punishment for the barbarous and cold blooded slaughter of our countrymen and countrywomen in that place.

Jhansie lies about an hundred and twenty-five miles north of Saugor. But before any movement could be made in that direction, it was necessary to capture Gurrakotta, a strong fort about five and twenty miles to the east of Saugor, garrisoned by the rebel sepoys of the 51st and 52nd Native Infantry, and amply stored with provisions of all sorts. The Fort itself stood upon 'an elevated angle of ground, the wide river Sonar wash-'ing the east face,—a tributary stream,—the Gidaree nullah

Digitized by Google

'with precipitous banks,—flowing round the west and north 'faces; to the south, a strong gateway flanked by bastions, and 'a ditch about twenty feet deep, and thirty wide. This ditch 'ran round the west face also.' So thick were its parapets, that, when the place was attacked by Brigadier Watson in 1818 with a force of 11,000 men, and twenty-eight siege guns, he was unable, in three weeks, to make a breach in them, and the garrison were allowed to evacuate the fort with all the honours of war!

Against this place Sir Hugh Rose marched, and surprising and cutting up a rebel picquet on his way, came before it on the evening of the 11th February. He found the enemy in some force in the village in front of the fort. He therefore, late as it was, at once took measures to dislodge them by a brisk fire of artillery. The rebel sepoys immediately formed up, and advanced at the double on our guns; but they were repulsed. Making a second attempt, however, they came close up to the guns before they were broken, but then discomfiture was complete. Next morning the breaching batteries were erected, and a fire was kept up on the fort all day. That evening it was evacuated. The enemy however were pursued by the Hydrabad Cavalry, and were cut up in great numbers.

Gurrakotta taken no obstacle remained to the march upon Jhansie. About forty miles to the north of Saugor was the strongly fortied pass of Maltoun, and through this it was supposed the British force must march. But there was another pass,—that of Mudanpore,—very strong and very narrow,—by which it was equally possible for the troops to advance. Between these passes and Saugor was a little hill fort also called Barodia, held by the rebels.

In this direction the Central India force marched on the morning of the 27th. Barodia was taken on the following day, and on the 3rd March, the little army found itself in front of the passes. Finding that of Maltoun very strongly fortified and guarded in force, Sir Hugh resolved to make a feigned attack upon it, whilst he should direct his real attack upon the less strongly occupied pass of Mudanpore.

Crowning the heights with the 3rd Europeans and the Hydrabad infantry, and bringing the main body along the road, the artillery in advance, Sir Hugh soon felt the enemy in front. The skirmishers first engaged on the heights and in the jungle, but as those of the enemy were driven back, a strong fire of artillery opened from a commanding position at the other end of the pass. Our advance was for the moment checked, so hot was the fire; Sir Hugh himself had a horse shot under him, and the artillery-men took shelter behind their guns. The halt was however only tem-

Digitized by Google

porary. The guns of the Hydrabad Contingent opened upon the enemy with shell, and, under cover of this fire, the infantry, reforming, dashed at them. Asiatics can stand everything but a charge of Europeans. They had here a splendid position, and a large force to hold it; but the sight of the charging Red-coats was too much for them. Men, who were brave, who certainly did not fear death, who hated us bitterly, shrunk from the hand to hand encounter which our men offered them. They fled, and the pass was stormed. The effect of this success was very great. It so daunted the enemy, that they gave up, without a blow, the pass of Maltoun, the fort of Narut in its rear, the little fort of Serai, the strong fort of Marowra on the road to Jhansie, the fortified castle of Banpore, the residence of the Rajah of Banpore, the almost impregnable fort of Tal-Behul on the heights over the lake of that name; they abandoned also the line of the Bina and Betwa, with the exception of the fort of Chandaree on the left bank of the latter river.

After this engagement, and the formal annexation of the district, which, in consequence, came into the permanent possession of the British, Sir Hugh continued his march towards Jhansie. To the fall of this place great importance was attached by Lord Canning, Lord Clyde, and Lord Elphinstone. It was regarded as the stronghold of the rebel power in Central India, and as a place the very holding of which by the Ranee was not only a defiance to the British, but constituted the main strength of the rebels on the right bank of Jumna. It was a place, too, in which the slaughter of our countrymen and countrywomen had been accompanied by circumstances of peculiar atrocity, and where the hate to the English name had been shown by acts of the most wanton cruelty. Nevertheless, anxious as were Lord Canning and the Commander-in-Chief that Jhansie should fall and fall speedily, they were both so impressed with its strength, and the inadequacy of the force at the disposal of Sir Hugh, that they wrote to him, and offered him the option of proceeding instead towards Banda. The original strength of Sir Hugh Rose's force when he joined it at Indore, we have already seen. His first brigade commanded by Brigadier Stuart was of about the similar strength. Jhansie on the other hand was extremely capable of being defended. The city was surrounded by a granite wall, twenty-five feet high, loophooled and bastioned. On the walls large guns were mounted, commanding every approach. But the fortress was far stronger. On its south and east faces were strong towers, the guns of which were so laid as to enfilade one another, and batteries had been thrown up outside the fort, commanding every approach to it. The Saugor road had been

Digitized by Google

especially cared for, and the fortress, strong naturally,—built on a high granite rock,—had been rendered to all appearances impregnable. It was garrisoned by 11,000 men, composed of rebel sepoys Valaitees, and Bundeelas, and governed by a woman, who wanted only a good cause to be a heroine.

As if to add to the difficulties of the situation, Sir Hugh Rose learned that Tantia Topee had raised and organised a considerable force,—which he had dignified with the title of the Army of the Peshwa; that he had taken the fort of Chirkaree in Bundelkhund, and that he was moving towards Jhansie with the intention of driving the English force from its walls.

With all these difficulties in his path, Sir Hugh did not hesitate for an instant. To many a man, the responsibility, kindly meant as it was, placed upon him; the offer to him to move elsewhere with his force, because Jhansie was too strong for him; would have caused terrible anxiety and hesitation. But superior men revel in responsibility. They delight in being allowed to play their own game. Far, then, from availing himself of the option of transferring his force to a less dangerous scene, Sir Hugh prepared himself, with the greater determination, to attack the rebels in their own chosen and well-fortified position. On his march to that place, and with a view to secure his left rear, Sir Hugh despatched General Stewart, commanding his first Brigade to attack the fort of Chandaree on the river Bettwa. This fort was stormed on the 17th March, after a desperate resistance on the part of the garrison, and with a loss on our side of five officers and twenty-five men killed and wounded.

Meanwhile Sir Hugh himself marched on Jhansie, and arriving before it on the 21st March, at once invested it. To invest such a place as Jhansie, four and a half miles in circumference, with the force at the disposal of the English General, was certainly a very bold measure. But boldness is often synonymous with prudence, and, in determining to adopt this mode of attack, Sir Hugh showed how well he had mastered the leading features of the Asiatic character. Investment diminishes certainly the numbers of the attacking force, but, on the other hand, it diminishes to a far greater extent, the confidence of an unpressionable enemy, for it displays to him your own. It is a common remark that the English do not, and never will, understand the native character. This may be true in some of its aspects. It is not less true, however, that there are some points of the English character which the Natives can never comprehend. The Dantonic motto, *l'audace, l'audace, toujours l'audace,* contains within itself a principle which an English General can always

Digitized by Google

successfully employ against an Asiatic foe;— a principle which the natives of India have never yet been able to understand. Nothing paralyzes them so much as boldness. The smallest hesitation on the other hand gives them courage. In the presence of a native army, then, a General can always risk manœuvres which he would not dare to dream of before an European enemy.

The complete investment of Jhansie, therefore, by the small force under Sir Hugh Rose, was prudent, because it was bold. The garrison within its walls read in that act the determination of the English General to take not only the place, but the garrison with it. Nevertheless, they were resolved to sell their lives dearly. The capabilities of defence were as great, as the difficulties of the attack were many; and the Ranee was at the same time aware that Tantia Topee, at the head of 20,000 men with twenty guns, was marching to her relief.

The difficulties of the attack were indeed many. The Fort of Jhansie, on the high granite rock,—with its three lines of works, its flanking fire, and its walls of solid masonry, presented a most formidable aspect. It was soon ascertained too that it would be necessary to take the city prior to attacking the fort, as the latter could not be breached. This involved a double labour, and a double danger.

Jhansie was invested on the 22nd, and the same evening the necessary operations were effected for erecting batteries to breach the city wall. Four of these were ready on the evening of the 24th, and opened fire on the 25th. On that day, the first brigade, under Brigadier Stuart, joined from Chandaree. It was at once moved to the south of the fort, and constituted the left attack. The siege was now begun in real earnest. Our troops however were terribly overworked. For seventeen days they never took off their clothes, nor were the horses unbridled except to water. From the two attacks shot and shell were continually poured into the city, whilst from the whole line of wall the enemy's guns never ceased to thunder a reply. Advanced positions were taken up near the wall to enable our riflemen to fire upon the enemy's gunners. On both sides the exertions were unceasing. Women and children were seen assisting in repairing the defences of the walls, and carrying water and food to the troops on duty, whilst the Ranee herself constantly visited the troops and animated them to enthusiam by her presence and her words.

For breaching purposes Sir Hugh had been able to spare only two eighteen pounder guns, the remainder of the Artillery being used so as to employ the enemy incessantly, and to damage the buildings inside the walls. The progress made by these

Digitized by Google

two guns was, owing to the great strength of the walls, extremely slow. But on the 29th the parapets of the fort bastion were torn down from the left attack, and on the 30th and 31st further damage was made on their defences. Still, no breach had been effected; the vigilance of the enemy was unabated; their determination to resist as strong as ever; when, on the evening of the last mentioned day intelligence reached the General that a new enemy was advancing in great force from the North.

This was the army of Tantia Topee,—an army, which, collected from the materials of the force which had attacked General Windham in his entrenchments at Cawnpore, and was subsequently beaten by Sir Colin Campbell,—had been re-organised under the title of Army of the Peshwa by Tantia Topee at Nowgong, and which, taking Chirkaree en route, was now marching to the relief of Jhansie. This army crossed the Bettwa the same night, and encamped close to the English force.

The position of Sir Hugh Rose was full of peril. Before him was an unconquered fortress, garrisoned by 11,000 warriors; behind him and close to him, an army of 20,000 men headed by a sworn enemy of the British name,—one who had revelled in the slaughters of Cawnpore. It was thus a position which required in a special degree a clear head, a cool judgment, and a firm will,—a position in which a single false step would have ruined us. But Sir Hugh was equal to the occasion. Rightly judging that to withdraw the investing troops for the purpose of meeting Tantia Topee would give to the besieged a moral as well as a material advantage, Sir Hugh determined to continue to press the siege with energy and vigour, whilst he should march in person, at the head of such troops as could be spared from the actual duties of the siege, against the new enemy. His plan was to attack the enemy at day-break with about 1,000 men of the second brigade, and a less number of the first.

Learning in the night, however, that Tantia had detached a division of his army to relieve Jhansie on the northern side, Sir Hugh directed the first brigade to move against that body, whilst he himself should attack the enemy at dawn. But Tantia Topee did not wait for the dawn. Whilst it was yet dark, he moved his first line towards the British encampment, and drove in the vedettes. But, no sooner had the retreat of these cleared the line, then the British guns commenced a brisk fire on the advancing body. But the fire of a few guns was powerless to stop the onward movement of a line which extended considerably beyond the British on both flanks. The enemy had only to move straight on to come with their overlapping wings upon the

Digitized by Google

investing party, who would thus be placed, literally, between two fires. Sir Hugh comprehended this in an instant. Massing then his horse artillery on his left, and accompanying it with a squadron of cavalry, he directed it against the right flank of the enemy. Simultaneously, another squadron under the General in person charged his left flank. Terrified at being thus attacked on both flanks, the enemy halted, and his troops became huddled together in disordered masses. At this moment our infantry received orders to advance. Pouring in a volley, they dashed forward at the charge. The result was magical. The enemy's line at once broke and fled, in complete disorder, toward the second line, abandoning several of their guns.

Meanwhile General Stuart had been equally successful against the other division of the enemy. The two routed parties were being thus simultaneously driven on the third division, which, under the personal command of Tantia Topee, still stood its ground. The line of pursuit however led Sir Hugh Rose against the front of Tantia's array, whilst it drew General Stuart on to his right flank. Seeing himself thus in danger of being attacked simultaneously in front and flank, and encumbered by the crowds of panic-stricken fugitives, the rebel Commander resolved to retreat across the Betwa. To check the advance of the English he caused the jungle in front of him to be set on fire, and then, under cover of the smoke and flame, moved rapidly towards the river. He effected his passage under cover of his guns, which were remarkably well served, but he did not find himself the safer. He was closely followed by our Horse Artillery and Cavalry, which had dashed at a gallop through the flaming jungle, and the pursuit was continued until every gun in his possession had been captured. Tantia himself fled to Calpee. He had lost, in this action, fifteen hundred men, and his force had been completely dispersed. Never was a victory more complete.

Fatigued and exhausted, but with their *morale* increased as much as that of the enemy had been depressed by the events of the day, the victorious little army returned to their position before Jhansie, on the evening of the 1st. Sir Hugh was determined to take prompt advantage of the discouragement which the defeat of the great army of the Peshwa had produced among the garrison. He therefore continued to pour in a heavy fire all that night and the day following,—when, deeming the breach in the city wall just practicable, though only just practicable, he resolved to attempt the storm of the place the next morning. He made his preparations accordingly. His plan was to make a false attack on the west wall, with a small detachment. On the sound of their guns being heard, the main

Digitized by Google

storming party was to issue forth and attack the breach, whilst on the right and left attempts should be made to enter the city by escalading.

At 3 A. M. on the morning of the 3rd April the storming parties moved to the positions marked out for them to wait for the signal from the western side. No sooner was it given than the main storming party, consisting of the 86th Foot and the 25th Bombay Native Infantry, dashed at the breach, covered by a strong fire from the Artillery. The resistance here was but trifling, and the breach was entered with but small loss. The right attack however was not so successful. Consisting of the 3rd Europeans, some Hydrabad Infantry, and Madras and Bombay sappers,—the ladders on the shoulders of the ladder,—they marched forward at the signal, but on debouching into the plain in front of the city wall, they were met by a heavy fire from Artillery, and the discharge of rockets, stinkpots, stones, blocks of wood, and other missiles. Moving straight on, however, they planted their ladders against the wall, but some of these were too short, some broke down under the weight of the stormers, and the officers who succeeded in gaining the wall on the others were cut to pieces before they could receive assistance. Still our men pushed on, and very opportunely, the shout from the main column, showing that the breach had been stormed, came to assist them. The opposition in their front then slackened, and the rampart was gained. The attempt at escalading on the left had been successful, and the three columns, uniting, poured into the town. But resistance was not yet over. Covered by the fire from the fort, the enemy showed a determined front, and each house and street were contested with a fierce obstinacy. Colonel Turnbull, commanding our artillery, was shot in this street battle.

Nevertheless our troops pressing steadily onwards made way, and drove the enemy into the Palace,—the place he had fixed upon for his most resolute resistance. Here the conflict was desperate. Every room was defended with the most determined fury. But it was of no avail. From room to room were the rebels driven with great slaughter, until at last the Palace was our own. Even then, the contest was not over. The Ranee's Body Guard, some fifty in number, still held the stables. Rushing into the stable-yard to attack them, exposed as it was to the fire of the Fort guns, several of our men were in the first instance cut down. The rebel troopers, after firing their carbines from behind their horses, mounted, and charged sword in hand. Some of their comrades at the same time fired the stables. A terrible confusion followed. The glare and heat of the flames,

Digitized by Google

the fury of the excited combatants, the fire of the Fort plunging amid friends and foes, the small space for the contest, all combined to make a scene such as has been seldom witnessed. It was not till every man of that Body Guard had been cut down that order was in some degree restored.

All that night, and throughout the following day, desultory fighting continued,—the enemy being either slaughtered, or driven under the shelter of the Fort guns. On the night of the 4th, the Ranee, despairing of further resistance, evacuated the Fort with all her remaining followers. Sir Hugh occupied it early on the following morning, and detached a party in pursuit of the enemy. Of these two hundred were cut up. Our loss in the storming of Jhansie and the action of the Bettwa amounted to 343 killed and wounded, of whom thirty-six were officers; that of the enemy was about 5,000.

Sir Hugh's object now was to march on Calpee. This was the main arsenal of the rebels, and it was well provided with artillery and other warlike stores. Its distance from Jhansie is one hundred and two miles in a north-easterly direction. The capture of this place would enable Sir Hugh to co-operate with the left rear of Lord Clyde's army, and, coupled with the fall of Jhansie, it would set the seal to the extinction of the rebellion in Central India.

Having rested and re-organised the force, wearied with seventeen days' incessant labour, during which few of them were allowed the luxury of a change of clothes, and having placed a sufficient garrison in Jhansie, Sir Hugh prepared to carry out his plans on Calpee. The appearance however of the rebel garrison of Kotah in the neighbourhood compelled him to send a detachment after that enemy, and he awaited its return before he moved. He had meanwhile been joined by a weak wing of the 71st Foot, but this reinforcement did not fill up the gaps which had been caused by casualties, and by the necessity which existed for leaving a garrison in Jhansie. At last, on the 25th April, having previously detached a flying column under Colonel Orr, to clear away the remnants of the rebels, who might otherwise imperil the communications between his own force and General Whitelock's, and then to co-operate with him against Koonch, Sir Hugh marched in the direction of Calpee. Meanwhile the Ranee of Jhansie, the dispossessed Raja of Banpore, and Tantia Topee had united their followers, and, impressed with the necessity of saving Calpee, had resolved to do battle for that place at Koonch, about forty miles south-west of Calpee on the Jhansie road. The heat of the weather, unusually great, had made them determine to harass the Europeans as much

Digitized by Google

as possible in the day time. Leaving then but a few troops in Calpee, they marched with the remainder to Koonch, where they drew up under cover of the fort, and threw up entrenchments and cut ditches across the road in their front. They also occupied the small fort of Loharee, which, so long as they were allowed to hold it, would play upon the flank of an advancing enemy.

Against this position, Sir Hugh Rose moved on the 6th of May. The heat was terrific, but the whole district being studded with forts it was necessary to advance with great caution. It was long past sunrise, therefore, when Sir Hugh, having mastered the enemy's position, arrived so near it as to be able to direct Major Gall to proceed with a detachment to storm the fort of Loharee. This service was gallantly executed with a loss on our side of four officers and nineteen men, on that of the rebels, of all their number. This impediment to an advance removed, Sir Hugh directed the first brigade,—co-operating with Colonel Orr on the other side of the Bettwa,—to make a feigned attack on the enemy's position, whilst he himself, with the second brigade should make a flank march round their left, and attack them. The enemy did not wait for the full execution of this manœuvre. Alarmed by the presence of the first brigade in their point, and the movement of the second brigade round their flank, threatening to cut them off from Calpee, they gave way, after firing a few rounds, and retreated. Koonch at once fell into our hands, and troops were at once sent in pursuit of the enemy. They were followed up for sixteen miles, and pursuit only ceased where they had lost all their guns.

Although the resistance made by the rebels on this occasion was feeble on the field of battle,—a result owing probably to the fear entertained by their leaders of being cut off from Calpee,—yet in the execution of their retiring movement the gallant bearing of the infantry,—consisting of some regiments of the Gwalior Contingent,—called forth the admiration of the English officers. This retreat was covered by a line of skirmishers two miles in length, resting upon supports of masses of thirty or forty men at stated intervals. These skirmishers retired for a long time in perfect order keeping up a brisk fire, and it was only when they were taken in flank by our cavalry and artillery that they were compelled to double up and give way.

Our troops suffered on this occasion far more from the sun than from the enemy. The thermometer showed 120° in the shade. The force had been marching from day-break, and the pursuit was not over till nine o'clock at night. Twelve men of the 71st Foot were struck dead by the sun. Sir Hugh himself was struck down three times, and, Dr. Lowe informs us, 'while

Digitized by Google

'the action was going on, dhooly after dhooly was brought into 'the field hospital with officers and men suffering from sunstroke, 'some dead, others prostrated, laughing and sobbing in weak 'delirium.' The sufferings from fatigue, thirst, and exposure were terrible. To all however the General showed an example which inspired his soldiers; thrice struck down, he each time forced himself to rally; he personally directed the attack and pursuit; he exposed himself as much as the meanest soldier; and the privations he endured were not less than those to which all ranks were subjected.

Pressing on, as soon as possible, after this successful action, Sir Hugh established himself with the second brigade at Golowlee, on the right bank of the Jumna, seven miles from Calpee on the 15th. Golowlee is not on the direct road from Koonch to Calpee, but Sir Hugh, having been informed that that road had been strongly fortified, made a flank march across country to his right, leaving the 1st Brigade to make a feint upon direct road. By this means Sir Hugh was able to open the communications with Colonel G. V. Maxwell,—who, with the 88th Foot, some Sikhs, and the Camel Corps, was on the left bank of the Jumna,—and also to threaten Calpee in an unexpected quarter. Unfortunately the exposure suffered by the troops told upon them with terrible effect, and the deaths and admissions into hospital increased at an alarming rate. The condition of our troops in this respect was well known to the enemy. Indeed, a General Order issued by the rebel commander on the subject was, about this time, intercepted. This order stated that 'as the European infidels either died or had to 'go into hospital from fighting in the sun, they were never to 'be attacked before ten o'clock in the day, in order that they 'might feel its force.' To add to his anxieties, information reached Sir Hugh at this time that the Nawab of Banda, who had recently been defeated by Sir George Whitelock, had joined the rebels at Calpee with a large force of very efficient cavalry,—the remnants of our mutinous regiments,—and with some infantry and artillery as well.

On the 16th, 17th, and 18th May there was constant skirmishing between the two armies, in which the enemy were invariably driven back. On the night of the 19th Sir Hugh concentrated both brigades at Golowlee, and receiving on the following day from Colonel G. V. Maxwell a reinforcement of two companies of the 88th, the Camel Corps, and 120 Sikhs, he prepared for a general attack upon Calpee.

The attack presented great difficulties. Calpee is situated on a high rock rising from the Jumna, and is surrounded by miles

Digitized by Google

of deep ravines,—forming in themselves not only strong natural obstacles to an attacking party, but offering to an enemy well acquainted with the country means of making sudden attacks, and of cutting off small detachments. These difficulties however only inspired the General with a determination to overcome them. His plan was, that while Colonel Maxwell should shell Calpee, in reverse, from the left bank of the Jumna, he should clear the ravines himself, and then attack the left face of the Fort.

In pursuance of their plan to attack our men in the heat of the day only, the enemy had come down in force on the 20th, and attacked our right flank. To save his men for the grand assault he was meditating, Sir Hugh had contented himself with merely repulsing this attack. Next day Colonel Maxwell opened on the town and fort, and shelled them without intermission. On the following morning, information was brought to Sir Hugh that the rebels had resolved to attack him with all their force on the 23rd; that their plan was to make a feint on his left, whilst, stealing up the ravines with their main attack, they should suddenly burst upon his right, which they calculated would be weakened to support the left. The plan was a good one, and in a military point of view, well deserved to succeed.

It will be understood that our force lay in the ground between the road from Calpee to Banda and the Jumna,—the left nearly touching the Banda road, and the right resting on the ravines near the river. In pursuance of their plan, then, to compel us to weaken our right, the rebels marched out in masses about ten o'clock along the Banda road, and commenced an attack upon our left. This attack, headed by the Nawab of Banda, and Rao Sahib, nephew of the Nana, though intended only as a feint, soon made itself felt, and the left was heavily engaged. Still Sir Hugh, confident in his information as to the real object of the enemy, did not move a man from his right. The attack on the left continued, the feigned attack became a very real one, but Sir Hugh still kept his right in position. It was well he did so. Suddenly, as if by magic, the whole line of ravines became a mass of fire; guns opened and the enemy's infantry climbing up from below poured in a musketry fire upon the right of our line. The suddenness of the attack, the numbers of the enemy, and the terrible heat of the day gave them a great advantage. Another point, too, was in their favour. Many of our Enfield rifles had become affected by constant use, and the men, after the first dis-

Digitized by Google

charge, found it impossible to ram down their cartridges. Numbers of them likewise were struck down by the sun, and many more disabled by its force. When, therefore, the rebels, starting up in great numbers from the ravines, poured in volleys, which our man could but feebly reply to; when they saw that each discharge from our line became weaker than the former; they began to gain confidence. Moving on with loud yells, and finding less and less opposition as they advanced, seeing in fact that our men rather gave way, they at last came on with great determination, and driving all before them, came charging towards our guns. General Stuart, seeing the Infantry driven back, dismounted from his horse, and drawing his sword bade the gunners defend their guns with their lives. Still the rebels advanced with frantic cries, and it seemed as though, from their very numbers, they must prevail, when Sir Hugh, to whom information of the desperate nature of affairs on his right had been conveyed, brought up the camel corps at their best pace, then, dismounting them and leading them forward at the double, without a moment's hesitation, charged the advancing foe,—who were then within thirty yards of our guns,—his men cheering as they did so. For a moment the enemy stood, but only for a moment. To waver, to turn, to flee back into the ravines, followed almost naturally. Not only was the attack on the right thus repulsed, but the victory was virtually gained. For the left charged the enemy at the same time with so much vigour and determination, that they broke and fled with precipitation. Those readers who have followed the career of Sir Hugh Rose thus far with attention will not have failed to notice that he was never content with merely gaining a victory, but that he always improved it so as to disperse and damage his enemy to the utmost. So it was on this occasion. Not satisfied with driving the rebels from the field, he followed them up so closely, that he cut off a great number of them from Calpee. The same night the enemy evacuated that fort. They were pursued however by our horse artillery and cavalry, until they lost their formation, and dispersed. All their guns, stores, and baggage were taken from them. Even the Ranee of Jhansie, who fled with them, was compelled, for want of a tent, to sleep under trees.

Calpee was entered on the morning of the Queen's birth-day. It was found to contain warlike stores in great abundance; cases of English rifles and swords unopened; shot, shell, and every description of ordnance.

Dr. Lowe thus describes the condition of some of the heads of Departments when they entered Calpee. From it an idea may be formed of the manner in which the officers and soldiers

Digitized by Google

of the force generally were suffering: 'The General,' he says, 'was 'very ill: his chief of the staff, Colonel Wetherall, C. B. was in a 'raging fever; his quartermaster-general, Captain Macdonald, 'worn out; the chaplain of the force had lost his reason, and was 'apparently sinking fast.' Truly the men who composed this force, who fought so nobly, and who suffered so severely, deserved the best gratitude of their country!

The taking of Calpee completed the plan of the campaign which the Government of India had drawn out for the Central Indian force. Marching from Mhow in November, that force, in five months, had traversed Central India; from the banks of the Seepree and Kala Sind it had marched to the Jumna, and had there effected a junction with the troops under the orders of Lord Clyde. It had been compelled, it is true, to contest the whole country which it traversed; it had been its lot to encounter, on several occasions, armies vastly superior in number, and led by men whose rancour against the British name incited them to the most determined efforts for our destruction; it had undertaken sieges, the success of which alone would have made the reputation of a general. These deeds had been accomplished, too, during a season, the terrible heat of which far surpassed the heat of corresponding seasons, and under a sun which proved more deadly even than the enemy. Yet, moving steadily onwards, regarding difficulties as 'obstacles to be overcome,' letting nothing beat him, showing himself equal to every emergency, Sir Hugh Rose had marched his force to the destined goal. Every impediment to his advance had been swept away or struck down. Careless of himself, knowing that to him the representative of his Sovereign, and that Sovereign herself, looked for the successful issue of the campaign, Sir Hugh had shown himself foremost wherever there was danger, kind, sympathising, and attentive wherever there was suffering. His care of his soldiers has never been exceeded. To look after their comforts, to see that after a hard fought action, the wounded were attended to, and after a long and tedious march, that provisions and water were abundant, was with him a sacred duty. The kind word, the sympathising enquiry were never wanting to the weary, the wounded, the suffering. If on the battle field he demanded all their energies, all their capabilities; if, for seventeen days before Jhansie, he required them to give every faculty of mind and body to the carrying out of a great end, and even to forego every comfort,—at least, when the necessity passed away, he did for them all that it was in the power of a man in his situation to do. No man could have done more. The same sun that struck down the soldier did not spare the Commander; the same dangers that

Digitized by Google

they encountered he dared likewise; if they did not spare themselves, neither did he; and yet, with all the cares of the command upon him, with despatches to write, reports to listen to, sketches of the country to examine, he managed to find time to attend to their concerns. The great interest taken in the soldier during his tenure of the office of Commander-in-Chief has not always been regarded in an appreciatory spirit. Yet that interest will not be regarded as extraordinary by those who have had practical experience of the splendid fighting qualities of our men, and who have learned from experience on the field and by the sick bed that, however much it may suit the conscientious pharisaism of some writers to place them on a level with the brute creation, it is yet possible by kind and judicious treatment to kindle within their breasts a strong yearning after that which is good and elevating and pure. Without sympathy on the part of a commander, soldiers may indeed be led, but they will never show that enthusiasm which is so great an incentive to gallant actions. It was doubtless an element in the success of the Central India Force that this sympathy was evinced in an eminent degree by Sir Hugh Rose.

The campaign was now virtually over. The junction was effected. Rajpootana, Bundelkhund, Jhansie, had been relieved from the presence of the rebels, and Sir Hugh, worn out with fatigue, was preparing to return to Bombay. He had issued a farewell order to his troops, when suddenly the intelligence reached him that the rebel army under Tantia Topee and other chiefs, amongst whom was the Ranee of Jhansie, had attacked Sindia at Bahadurpore, nine miles from Gwalior; that Sindia's whole army, with the exception of his Body Guard, had deserted in mass to the enemy; that Sindia had fled to Agra; and that the rebels had instantly taken possession of the fort of Gwalior, containing artillery, and munitions of war in abundance.

Sir Hugh Rose had previously detached a portion of his force under Brigadier Stuart in the direction of Gwalior, with a view to overawe the rebels; and, immediately on the receipt of this intelligence he followed with the remainder. Setting out on the 6th June,—the thermometer 130° in the shade,—he moved by forced marches towards his destination, and, overtaking Brigadier Stuart at Indoorkee, on the 16th reached Bahadurpore, the scene of Sindia's defeat. The same day having been reinforced by Brigadier-General Napier and Brigadier Smith, he marched with General Napier's brigade and some of his own men upon the Morar Cantonments, five miles distant, occupied in force by the rebels, and drove them out after an action which lasted two hours. As a part of the same movement Brigadier

Digitized by Google

Smith advanced from the east upon Kotah-ka serai, about seven miles from Gwalior, a point at which communications could be opened with Sir Hugh Rose. The brigadier succeeded in occupying that position, but as the enemy threatened him in considerable force, he deemed it right to attack them. An action ensued, which resulted in the retirement of the enemy, and in the taking up by the brigadier of a position not unassailable by the enemy, but sufficiently strong. The most important occurrence of the action, however, was the death of the Ranee of Jhansie, who fell fighting at the head of her troopers, whilst endeavouring to repel a gallant charge of the 8th Hussars. 'Although a lady,' writes Sir Hugh in his despatch, 'she was 'the bravest and best military leader of the rebels.' At the same time that these movements were taking place, Major Orr advanced upon the Seepree road to the direct south of Gwalior, whilst Colonel Riddell was moved so as to complete the investmenton its west side.

Sir Hugh now prepared for the final stroke. His plan was, having completed the investment, to attack Gwalior on its weakest side, that by which Brigadier Smith had advanced. Leaving therefore Major Orr and Colonel Riddell to guard the outlets on the south and west, and directing General Napier to remain at Morar, Sir Hugh himself marched with the bulk of his forces, on the morning of the 18th June, to join Brigadier Smith at Kotah-ka-serai. The distance was twenty miles, and the march was extremely harassing. The heat of the sun was intense. More than an hundred men of the 86th alone were compelled to fall out, although it may be added that these gallant soldiers were not deterred by sickness from joining on the following day in the assault. Sir Hugh found Brigadier Smith, who had advanced nearer Gwalior, in a very cramped position, in a pass between two ridges of hills, one of which, on the left of our force, had been occupied by the enemy, another body of whom were also in force in the gorge about two miles in rear of our position. In front of him was a very deep canal cut out of the rock. Sir Hugh conceived the idea of cutting off both these bodies from Gwalior. The only obstacle to such a manœuvre lay in the difficulties presented by the canal. These however could be overcome. By sunset or a little later a bridge or dam could have been constructed, and over this Sir Hugh might have marched a force which should interpose between Gwalior and the rebels, whilst another brigade should occupy them in front. The movements of the enemy however compelled Sir Hugh to abandon this project. Fresh troops poured out of Gwalior and made a serious attack on our left flank,

Digitized by Google

resting on the canal, the point where we were weakest. To meet this attack, Sir Hugh detached Brigadier Stuart's brigade with orders to cross the canal, and crowning the heights on the other side of it, to attack the enemy on their left, whilst at the same time Brigadier Smith should advance obliquely, under cover of the ground, against their left front. This attack on their left at once had the effect of making the enemy desist on his right, and no sooner did they find that their left was turned by the movement, than they fell back in haste, abandoning their guns. They were pressed hard by our troops, and driven into the city, and our line advancing at the same time took possession of the highest range of heights above Gwalior. From these heights 'the slopes descended gradually towards the town; the lowest 'one commanding the grand parade of the "Lushker," which was 'almost out of fire of the Fort and afforded an entrance into 'the city.'*

Gazing from this position on Gwalior, thus lying at his feet, seeing the enemy's infantry and cavalry debouching from the city, but apparently without the resolution to attack him, Sir Hugh Rose resolved to strike at the moment, and endeavour to gain possession of the place that same day. Having formed his battle array, accordingly, he gave the order to advance. The 1st Bombay Lancers, under Colonel Owen, had been ordered to descend the hills and occupy the road which led to the grand parade of the Lushker. This they did in gallant style, not only clearing the parade, but pursuing the enemy into the very streets of Gwalior. They were then withdrawn, and the infantry, taking their place, marched right up to Sindia's Palace without meeting much opposition,—the enemy retreating through the town with great rapidity. Brigadier Smith, who had been detached in pursuit, succeeded however in cutting up great numbers of them, in the face of a fierce resistance offered by their Artillery. The remainder fell into the hands of General Napier at Morar, who killed between three and four hundred of them.

The old and new cities thus fell into our hands; but the Fort was still unsubdued; indeed throughout these operations it had maintained a constant, though not very effective, fire upon our troops. On the morning of the 19th however, at an early hour, Lieutenant Rose, of the 25th Bombay Native Infantry, and Lieutenant Waller, with a party of the 25th and some police, crept up the rock, burst open the main gateway of the Fort, and, taking the enemy by surprise, forced an entrance through an archway connected by a narrow street with

* Sir Hugh Rose's Despatch.

Digitized by Google

the interior defences. Here they had to maintain a fierce hand-to-hand encounter with the garrison, urged to desperation by the knowledge that they had no retreat. The gallantry of Lieutenant Rose and his companions prevailed however over the fury of these desperate men; they were all either shot down or cut to pieces, and the Fort was ours, though in gaining it Lieutenant Rose sacrificed his own life.

Thus ended the Gwalior episode of the Central Indian campaign. Forming no part of the original project, it was yet forced upon the General by the unexpected rebellion of the troops of our ally. Taken by itself it would have been regarded as a brilliant feat of arms, but looked upon as an unexpected call upon strength and resources which had undergone no mean trial, it may well be regarded as an achievement of no common character. The service was one of the last importance. The promptness, the suddenness of the blow,—a striking characteristic of all Sir Hugh Rose's movements,—alone prevented Gwalior from becoming a second Delhi,—a rallying point for all the parties of rebels who were scattered all over India. Of the conduct of our soldiers their Commander was the best judge, and thus he speaks of it. 'As Commander of the troops engaged,' wrote Sir Hugh in his despatch, 'it is my duty to say, that though a most 'arduous campaign had impaired the health and strength of 'every man of my force, their discipline, devotion, and strength 'remained unvarying and unshaken, enabling them to make a 'very rapid march in summer heat to Gwalior, fight and gain 'two actions on the road, one at Morar cantonments, the other 'at Kotah-ka-serai; arrive at their posts, from great distances 'and by bad roads, before Gwalior before the day appointed, 'the 19th June; and, on that same day, carry by assault all the 'enemy's positions on strong heights and in most difficult 'ground, taking one battery after another, twenty-seven pieces 'of artillery in the action; twenty-five in the pursuit; besides 'the guns in the Fort; the old city; the new city; and finally 'the rock of Gwalior held to be one of the most important and 'strongest fortresses in India.'

Sir Hugh made over command of his force to General Napier on the 29th June, and proceeded to Bombay.

We now approach that which may be termed the third division of Sir Hugh Rose's career. Appointed Commander-in-Chief at Bombay, he was transferred, on the departure of Lord Clyde from India, to the higher appointment in Bengal. This appointment he took up in the month of June 1860, and he held it till the end of March of the present year,—a period of nearly five years. We do not propose to follow step by step each

Digitized by Google

act of Sir Hugh Rose as Commander-in-Chief. In such an appointment the value of an Officer's services is to be tested, not by any one particular measure, but by the tendency and result of the line of policy he may pursue. If that line of policy be based upon sound principles, if the measures he attempt to carry into effect be just and fair to all whose interests are touched by them, then the result must be advantageous. Yet it must by no means be imagined that all that a Commander-in-Chief has to do, is to wish to act well; that he has only to carve out a policy to himself, and adhere to it. On the contrary, there is probably no appointment emanating from the Crown of England, in which the hands of the holder are so tightly bound as that of the Commander-in-Chief in India. Nominally an independent appointment, it is really an appointment the independent action of which is jealously watched and carefully restricted. Formerly indeed, the powers which might, under certain circumstances, devolve upon a Commander-in-Chief were not very accurately defined: but from the day when the Marquis of Dalhousie snubbed Sir Charles Napier into the resignation of his command for presuming to crush mutiny in the bud, without consulting the Marquis who was at sea, or the Council which was at Calcutta, the relations between the Commander-in-Chief and the Government have become, practically, somewhat clearer than they were before. The decision of the Home Government and of the Duke of Wellington upon that important question announced, not the predominance of the Civil Power,—for not even Sir Charles Napier ever questioned that,—but, that not so great a peril as the prospect of a mutiny would justify even the temporary assumption by the Commander-in-Chief of any portion of that power which was vested in the Government alone. From this some idea may be drawn of the very delicate and difficult position which a Commander-in-Chief would occupy, who, full of zeal and energy, revolving plans of reform and improvement, should find himself in the presence of a superior power by whom all his intentions might be frustrated and all his reforms nipped in the bud. We do not intend to assert that a dead lock of this nature is even within the hands of probability. We only allude to the subject, in order to show, that even should a long tenure of the office of Commander-in-Chief produce no results, it is not necessarily to be attributed to indifference on the part of the Head of the Army.

We have written to little purpose if we have failed to impress upon the minds of our readers that Sir Hugh Rose was a man of deep convictions, strong will, and great tenacity of purpose. Yet in the diplomatic training he had enjoyed in

Digitized by Google

Syria and in Constantinople, he had had many opportunities of observing that the most common solution of even the weightiest affairs was a compromise. With all his strong convictions he was far too clear headed, he had mixed too much with the world, to imagine, that he could expect every other man to agree with him on every subject. He knew well that, in his new position, he would have to encounter men of different and differing schools,—men who looked at affairs from a point of view widely diverse from his own,—and he had associated too much with the world to think that these men would give in to his opinions, simply because he held them. Whilst therefore perhaps no man ever occupied the office of Commander-in-Chief more strongly satisfied of the soundness of his own ideas, of the necessity for putting them in practice, and more determined to hold to and carry out those views, if it were possible to do so, no one perhaps was at the same time more impressed with the sense of the delicate and difficult nature of his position, and of the wisdom of accepting a part, if he were unable to gain the whole.

The state of the Army when Sir Hugh Rose assumed command of it was peculiar. The European portion of it was just reposing after the triumphs of the mutiny. They were reposing however in buildings which had been intended for half their number, and the wretched state of existence which had always made the life of a soldier in India proverbial, had been rendered even more wretched by the crowded state of the barracks, and the deficiencies of the hospital accommodation. The men of a section of that European force too,—that section which, formerly under the Company, had been transferred to the Crown without being made over to the Horse Gaurds, were known to consider themselves aggrieved, because the option of bounty or discharge had not been offered to them on the occasion of their transfer. As for the Native Army it was in a state of chaos. Of the seventy-four Native Regiments of which the Bengal Army consisted before the mutiny, but eight or ten existed. There were officers without regiments scattered all over the country. There were police corps, irregular corps, local corps, doing military duty in various districts and stations, raised no one knew how, and subject one scarcely knew to whom. There were hosts of claimants for appointments, men who had lost all in the mutiny, who had no regiment to go to, and who were conversant only with the military duties to which they had been brought up. The mutiny had annihilated all the old regulations, and none had come to replace them. The officers of the old Company's Army, deprived of their old employments, looked anxiously to the future. Each man knew that something was coming, yet no one knew

Digitized by Google

what to expect. At this time the Home Government, in opposition to the written opinions of Lord Clyde, Sir Hugh Rose, Sir William Mansfield, and other high authorities, had determined to maintain the Indian Army as a separate army, subject to the Secretary of State and not to the Horse Guards, but as to the manner in which it would be reorganised or officered not a syllable had transpired.

The objects then which Sir Hugh just proposed to himself on taking the command of the Indian Army, were these. He wished, first, to improve the condition of the European soldier; to see that he was not only properly lodged, well tended in hospital, and well fed, but likewise that he should be provided with that which all previous reformers had failed to secure for him,—occupation during the long and weary hours of the day. Few men had had better opportunities than Sir Hugh of seeing what the European soldier could do if he were only, we will not say encouraged, but allowed, to do it. In that terrible Jhansie campaign the soldier had always been ready to do more than his mere duty; he was not then fanciful about his rations, nor did he disdain the hard earth for his bed. The Commander-in-Chief had witnessed his exertions, his privations, his devotion then, and he was resolved that, now that the fight was over, those comforts and those opportunities for profitable employment should be given to the European soldier, which no one more than he, had nobly earned.

At the same time discipline was to be maintained, and though discipline had not been openly violated, there were symptoms even then that the pressure of a firm hand might he required, and that a lesson might be needed. To those signs of the times Sir Hugh was fully alive; though it was still hoped, that by a cautious and prudent line of conduct, the danger might be averted.

Then again, there was the condition of the Native Army. The question of the reorganisation of this Army generally was a matter for the consideration of the Home Authorities, but there was a point connected with it which did come within the jurisdiction of the Commander-in-Chief, and that was, to raise the tone of those numberless officers, who, having lost their regiments, were either absolutely without employment, or were reduced to that most painful of all positions to men who once had a regiment and a home,—that of doing general duty in some large station.

This last task was that first undertaken by the new Commander-in-Chief. The course he adopted was somewhat carped at at the time, but experience has testified to its wisdom. To ascer-

Digitized by Google

tain among a crowd of applicants who are the fittest for military employment is for a new Commander-in-Chief a very difficult matter. It may be said that he can trust to his staff. But that is the rock upon which the reputation for fair and just dealing of so many previous Commanders-in-Chief has been wrecked. The statement made before the Committee of the House of Commons, by an Adjutant-General, whose patronage had been extremely advantageous to his own personal friends to the effect that those officers whom he had not selected for employment were the 'refuse' of the Army, has not yet been forgotten. In the dark and weary days of the mutiny, those who composed this 'refuse' had fought at least as well as their more favoured comrades. In some cases indeed the *elite* had not altogether come up to public expectation. For a new Commander-in-Chief, then, to go back to the old ways, to rely, for the selection of men on whose conduct would mainly depend the efficient carrying out of his own views, on the reports of the Adjutant-General, was not a plan likely to find favour with one whose views of discipline were so rigid, and whose sense of responsibility was so marked as was the case with Sir Hugh Rose. To his mind it appeared that one great public test was far better than all the private recommendations. And though this test might not operate quite evenly, though it might exclude deserving officers, yet, being open, it was a test the fairness of which, all, he thought, would be ready to acknowledge, and which even those who suffered from it would declare to be preferable to the secret system which had, by its unjust action, soured many a noble spirit. Acting upon this principle, Sir Hugh Rose officially declared, as soon as possible after his assumption of the office of Commander-in-Chief, that the staff appointments in his gift would be bestowed, without favour or affection, upon those officers whose services in the field and whose general good conduct, testified to by those under whom they had served, gave them the greatest claim upon the country. This was a test, open, clear, and incapable of being misunderstood. It was liable certainly to act hardly upon officers who had not seen service; but it was nevertheless the best test that could be devised. In all stations of life there are inequalities. Fortune showers her favours with bounteous hands on some, she withholds them, in a niggard spirit, from others. To these, who perhaps hardly seek for them, she gives frequent opportunities; to those, who would walk bare-footed from one end of India to another for one single chance, she often rigidly denies that chance. We see this in every career, in every station of life. If then, this rule bore hardly upon those who, from no

Digitized by Google

fault of their own, had not fleshed their maiden swords, it was, after all, one of the chances of existence. It had upon them, besides, this other effect, that, shut out from military employment, these men were induced to turn their energies to the performance of those departmental duties under the government of India for which military service was never considered a necessary qualification.

We have said that this new test proposed by Sir Hugh Rose was rather carped at when it appeared. But it was carped at simply, because very few believed that it would be strictly and rigidly adhered to. Declarations of the same sort had been made by others; yet, with the exception of Sir Charles Napier and General Anson, they had seldom been adhered to. Practically, the officer who had no interest had had but a slender chance. The Indian public therefore were slow to believe that any change in the system which had effectually provided for the relations and friends of the staff of the army would follow even the emphatic declarations of the new Commander-in-Chief.

Yet, at the close of a five years' tenure of office by Sir Hugh Rose, we find that he never swerved from that declaration. It is now an admitted axiom, that public service is the test for promotion. Sir Hugh has impressed that principle on the military administration. Loud, doubtless, have been the lamentations over 'the good old times.' But what a few private individuals have lost the public has gained. The tone of the officers is far higher than it was before. Men have ceased to care about letters of introduction or relationship to officials. A system has been introduced which has made every man who has done good service feel that his claim upon his country will be satisfied. It is our conviction that Sir Hugh never gave away an appointment to any one who was not, in his opinion, the best qualified amongst those unemployed, to fill it. He, like his predecessors, has no doubt had his temptations. People, 'with a certain influence,' are always upon the *qui vive* to obtain something good for Charlie or Frank. Yet it was the great merit of Sir Hugh Rose, and that which has stamped his administration, that if Charlie and Frank had been his own sons, he would have given them nothing, if he believed that other men had a prior and a better claim.

The increase to the allowances of Commandants, and of seconds in command; the appointment of wing officers and of paid doing duty officers,—measures recommended by the Government of India and sanctioned by the Secretary of State,—gave to Sir Hugh Rose many opportunities of providing for deserv-

Digitized by Google

ing officers. It is quite possible that the critic may point to this or that officer, and say that the appointment was not a good one; that a better might have been made. Even, admitting this for the sake of argument, it was at least recognised that that man was appointed who, in the opinion of the Commander-in-Chief, had, from public services, the best claim. No one has ever dreamt of asserting that private interest ever influenced the decisions of Sir Hugh Rose in this respect. Conflicting claims must be balanced by one man. The great thing is, to feel confidence in the impartiality of the adjudicator, and, though men may have differed from Sir Hugh in his estimate of the value of services, every one will admit that his decision invariably gave the actual conclusion at which his mind had arrived.

With respect to the European soldier, Sir Hugh had a more difficult task. In a very few months after his arrival in Calcutta, the discontent which was even then lurking in the minds of the European soldiers of the Indian Army culminated in acts of open mutiny. In dealing with this mutiny Sir Hugh displayed that tact and decision which had characterised his campaigns. He was prompt to strike, severe to punish the ringleaders, but merciful to the many who had blindly followed the few. This danger averted,—the snake not only 'scotched' but killed, Sir Hugh was soon after summoned to Calcutta to take part in introducing the great measure which was the consequence of that mutiny,—the amalgamation of the two armies.

It was whilst this measure was being discussed, that Sir Hugh found time to introduce one of his great remedial measures for the improvement of the condition of the soldier,—the establishment of soldiers' workshops. In these the soldier was encouraged to develop the knowledge he had acquired in his early youth by working at the trade to which he had been brought up. Every facility was afforded him. A workshop, tools, and materials were supplied, and the soldier was permitted to dispose of the results of his industry. Men of Mr. Kaye's stamp, who believe only in the drinking faculties of the European soldier, men who regarded him as a mere brute to be lashed into obedience, laughed at the simplicity which could devise so inoperative a measure. We are bound to add, however, that by the Indian Press, it was warmly received and applauded. Its greatest opponents were the officers of the old school, wedded to the ideas of their boyhood. But Sir Hugh had great confidence in the experiment. He put it in force, and the result has been the redemption of the well disposed men in the barracks; it has proved a death-blow to that listless idleness which has been the greatest enemy of the European soldier;

Digitized by Google

it has enabled men to save money, which they have invested not in 'drink,' but in the education of their children; and it has, in many places, given a stimulus to local trade such as its supporters never anticipated.

Similarly with soldiers' gardens. These, nominally existing before, have been improved and increased during the last four years. The vegetables supplied to Regiments are in many cases grown by the soldiers themselves, and the European residents in stations are often indebted to those gardens for their supplies.

It was quite impossible that a man of Sir Hugh Rose's strong convictions and determination to do what he believed to be right without respect of persons, could avoid coming in contact with some of the many Departments of Army administration which abound in this country. We cannot be surprised to find, therefore, that his endeavours to improve the rations of the soldier brought him into collision with the department which is entrusted with the supply of food to the Army. It must be admitted that in the course of the correspondence on this subject charges were brought against the Department, which could not afterwards be sustained before the Commission appointed by Government to enquire into the subject. It is always the fate however of an ardent reformer, who occupies a high position, to find his sentiments and opinions exaggerated by some of those about him, and certainly many of the charges against the Commissariat were very extravagant. That department has always been one of the best arranged and best organised in the Indian Service. And if it may be said that it is liable sometimes to become too much of a bureaucracy—to be a service within a service, the appointment as its Head, of an officer untrammelled by its traditions, and unfettered by its precedents,—a course which has lately been adopted by the Government,—will always tend to remedy that evil.

It was the opinion of the late Commander-in-Chief that the Commissariat Department should be placed under his orders, instead of being a Department under the Government of India. But we think the Indian Government acted very wisely in adhering to a system which, under every exigency and under seemingly insuperable difficulties, has always worked well. The Government of India would be mad if they were not as anxious as the Commander-in-Chief for the lives and health of the European soldiers serving in India; they would be culpably negligent, if they were not to enforce upon their agents, charged with the supply of food to the soldier, the necessity of seeing that those supplies were of the very best quality. We cannot

Digitized by Google

refrain from expressing our opinion that in this branch of Commissariat arrrangement the Government of India has nobly done its duty. No reasonable expense is spared to make the supplies for the European troops equal to the best procurable in the market. The officers of the Commissariat Department are equally interested in seeing that the wishes of Government in this respect are carried out. We believe that it happens far more often that the men reject what is good from an over-fastidiousness than that the Commissariat officer sympathises with the contractor in the tender of an inferior article. A curious incident bearing upon this subject, happened in the cold weather of 1856-57 in Lucknow when that city was visited by General Anson. On the morning of the General's arrival, the 52nd Foot had rejected the bread tendered by the contractor. The same bread was accepted, as usual, by the messes. Dining at one of these the same evening General Anson remarked on the excellence of the bread, and he then learned to his surprise that it was the very bread which the men of the 52nd, and a Committee of their officers, had that morning rejected.

It is in our opinion a positive advantage that the Commissariat should be under the Civil Power. In the first place, it assimilates in that respect to the English system. Then again, as a disbursing department, it is properly placed under the control of the Government. But, we believe, it is advantageous in the mere executive arrangement of the Department, and in the interest of the troops themselves. A Commander-in-Chief could not get more out of the Commissariat officers than do the Government now. He could not hang them by reason of the badness of the supplies,—though Sir Harry Smith after Buddiwal, in buffoon-like parody on the Duke of Wellington, threatened to do so. He could only turn them out of their appointments, and he would find it then difficult to supply their places with superior men. But, so long as the Commissariat is under the Supreme Government, the Commander-in-Chief possesses a power in reality far greater and more effectual. We allude to the power of reporting an officer to the Supreme Government. To be turned out by the Commander-in-Chief would not be nearly so great a punishment to an officer as to be turned out by the Supreme Government on the report of the Commander-in-Chief. In the one case the Commander-in-Chief is the accuser and the judge, and the moral effect of a sentence against the accused would, in that case, be comparatively small. In the other, the tribunal is absolutely unbiassed, and an adverse decision would be disgrace or ruin.

Digitized by Google

Nevertheless the course adopted in this respect by Sir Hugh Rose was prompted by a pure and sincere desire to benefit the soldier. He had no private interests to serve. He fought, solely that the men who had fought for us might not only be well fed, but that they might be fed as well as the country could feed them. And he succeeded. It is true the Government did not adopt his views, yet he did not the less, though by other means, obtain the result at which he was aiming. The constant stirring of this question called constant attention to the subject. It became the first interest of the Commissariat officers that the supplies should be of a character such as none could object to; and though objections were occasionally made,—for it is the nature of Englishmen to grumble and object,—yet they were generally pronounced frivolous. The main result however was, that during the command of Sir Hugh Rose, the rations attained a variety and an excellence such as had never been before equalled; and this, as we understand it, was the practical result at which he aimed, when he first agitated the subject.

Similarly with respect to punkahs and tatties for barracks, to soldiers' cots, and to every other article on which the soldier's comfort depends. No toil was too great, no hours were considered thrown away, which were devoted to improvements on these matters. On some of them, as on the question of soldiers' cots, Sir Hugh showed himself far in advance of those even who were considered specially qualified to report on them. There was this also about Sir Hugh, that he was by no means wedded to his own theories; he was always ready to receive suggestions, no matter whence they came. When satisfied that a man was in earnest, he at once was attracted towards him. Confident in the purity of his intentions, he cared as little for hollow hearted ridicule as for foolish applause. He worked straight to an end, and allowed no considerations to deter him from carrying out that end to the extent of his power. His regulations for cholera camps, and his rules for the efficient sanitary care of the various cantonments were excellent. He was especially anxious to see that officers attended to their men during times of epidemic sickness. No remissness in his opinion was equal to that which kept officers from the hospital at a time when their men were struck down by hundreds, from a mere fear of catching the disorder. He would have disrated his own brother had he found him guilty of a dereliction of duty of this nature. Many officers, no doubt, needed no stimulus to induce them to pay proper attention to their men at such seasons. We believe indeed that sickness especially calls into active operation the

Digitized by Google

sympathies of brave men. Yet it is equally possible that the knowledge, that the Commander-in-Chief regarded backwardness on such occasions as second only to backwardness on the field of battle, was not without its effect on some.

We have now glanced hastily at the effect of Sir Hugh Rose's administration on the position of two classes,—the European officers and the European soldiers. With respect to the native soldier little remained to be done, except to regulate the conditions of good service pay, and to invent for him a dress more suited to him, and to the climate of the country of his birth, than that worn by the old Pandy Regiments. The first, in concert with the Supreme Government was accomplished; the second Sir Hugh Rose attempted. We believe he had a dress made up somewhat in the style of the dresses worn by the Turcos and Zouaves, and submitted it to the Government of India. Whether it was accepted we are not informed. It certainly is not worn at the present time. Those however, who have seen the Turcos on guard at the Tuileries, with their clean neat cloth dresses, well adapted for any work, and who have contrasted them with the ill-fitting, slovenly, dirty looking uniform worn by our Indian sepoys, will not fail to hope that the suggestions of our late Commander-in-Chief in this respect will yet be carried out.

It may not be out of place to allude here to those other qualities by which the character of Sir Hugh Rose was marked. We have spoken in the earlier part of this article of his own personal bravery, and of his conduct on the field of battle. It may be said that, on those occasions, it was necessary that he should not spare himself. Yet, when the necessity did absolutely exist, he spared himself as little. To make himself master of the topography of the Punjab frontier, he rode sixty and seventy and eighty miles a day, and thought nothing of it. To acquaint himself with the nature of that frontier was, in his idea, as much an act of duty, as it was to inspect the condition of the troops, and he therefore did it. Small wits have sneeringly alluded to his dandy-like appearance,—and there can be no doubt but that Sir Hugh Rose felt a pride in appearing on every occasion as a gentleman and a soldier,—but those witlings would have felt extremely uncomfortable if they had been challenged to accompany the dandy Commander-in-Chief on one of his frontier rides. He possessed indeed an energy and a pluck which enabled him to defy fatigue.

Sir Hugh Rose loved a brave man. Words cannot describe the absolute contempt he felt for a coward. His hospitality was unbounded. He was totally devoid of pretentious vanity.

Digitized by Google

He strove, as he said in his farewell speech in Calcutta 'to 'do his duty.' His manners were distinguished by a refined courtesy to all. For real, earnest men, whatever their rank or station, he always testified a special regard. That he had faults is perfectly true. What they were the readers of this article will doubtless discover for themselves.

In addition to the European mutiny, the amalgamation of the two armies, and the Commissariat arraignment, Sir Hugh Rose's career was marked by two other significant occurrences. The first of these was the Crawley Court Martial; the second the episode which is known as the Priestley case.

The Crawley Court Martial is a striking instance of the tenacity of opinion and of the moral courage of Sir Hugh Rose. That the decision arrived at by the Court Martial, and that the views promulgated by the Commander-in-Chief in his remarks on that Court Martial, were correct, was very much doubted at the time. The death of Sergeant Major Lilley, his piteous story, the assertions of Lieutenant Fitzsimons and of Pay Master Smales, changed those doubts into an absolute opinion that Sir Hugh Rose had been wrong. Every paper of influence in England seized upon Sergeant Major Lilley's story, condemned Colonel Crawley before he had been heard, and condemned almost equally both Sir William Mansfield and Sir Hugh Rose. From the newspapers the story travelled to the House of Commons. There it was received with a genuine satisfaction by that liberal party, the members of which are never so happy as when they can run a tilt at a Colonel or a General. The Radical member for Brighton, Mr. Coningham, denounced, in unmeasured language, every actor in the drama. The Commander-in-Chief in India, the Commander-in-Chief in Bombay, and Colonel Crawley, alike came in for a share of his virulent abuse. The House of Commons caught the infection. It was dangerous to the popularity of any member to rise up and say that, after all, there might be some mistake; that it would be better to wait for the enquiry. The liberal members declared that there could be no mistake in the past, and that there should be no mistake for the future. To prevent the possibility of there being such a mistake, it was conceded that the Court Martial on Colonel Crawley should take place in England, away from the malignant influence of those who were regarded as accessories after the act. But this was not all. We believe that it would be discovered, if the whole truth were told, that even the Horse Guards took the popular side, and strongly disapproved of the conduct of Sir Hugh Rose. Yet all this time,—and it was a long

Digitized by Google

period of excitement and anxiety,—Sir Hugh did not recede one inch from the position he had taken up. To the newspaper criticisms he was indifferent. The radical denunciations in the House of Commons were probably to him, as a sensible man, far more pleasing than would have been radical praises. In reply to the remarks from the other quarter, he respectfully held his ground. The combined influence of these three attacks, one of which would be sufficient to soften the brain of some men, did not frighten Sir Hugh. He believed he was right, and he would not recede. It ended, as we all know, in the complete discomfiture of his opponents. Suddenly there was a collapse. It was then all at once discovered that Sir Hugh, Sir William Mansfield, and Colonel Crawley had been extremely ill-used. Paymaster Smales was adjudicated a bankrupt, and the radical member for Brighton, fleeing the public scorn, was compelled to abandon his Parliamentary career, and to take shelter in private life.

Into the details of the Priestley case it is not necessary that we should enter, for who is there who is not familiar with them? In the story of the career of Sir Hugh Rose, however, some allusion to this case cannot be avoided, more especially as, notwithstanding our general admiration of his character, we are of opinion that in this instance he was from the very beginning entirely wrong. Nevertheless, wrong as he was, there were those about him who were even more open to blame. Sir Hugh acted upon,—his sole ground for action was,—the opinion of his Judge Advocate-General that Major Fitzgerald had committed a breach of discipline. If the Judge Advocate-General had not given that opinion, Sir Hugh Rose, had he wished it ever so much, could have done nothing. But fortified by the opinion of the 'keeper of his conscience' that a breach of discipline had occurred, he acted. The opinion was incorrect, was unsound. But who gave it? It has been said that Sir Hugh's social instincts ought to have held him back from acting on such an opinion. We think they ought. But no man is wise at all hours, and it ought besides to be recollected that not only his Judge Advocate-General, but every member of his staff present with him at the time, concurred with him in the view he took regarding the transaction. Sir Hugh left the United Service Club in consequence of the course the Club adopted on this occasion; but he showed subsequently in a very significant manner,—in 1865,—that he would be glad if the whole matter were to cease to be remembered with ill-feeling. Considering the position he occupied he could not have evinced a more conciliatory spirit.

Digitized by Google

Our task is now finished. We have endeavoured to place before the readers of this *Review* an impartial sketch of the Commander-in-Chief who has just quitted us. Such an attempt, at an earlier date, would have been impossible. But if, whilst a great public character is in India, his enemies and detractors may say their worst of him, it is surely permissible to those who may entertain for him a genuine admiration, to describe his career, after his final departure for Europe, in a language which the incidents of it in their opinion demand. Sir Hugh Rose has indeed played no ordinary part in the world. We have seen him as a young soldier gaining the approval of one, who, at the time a young statesman himself, has twice been Prime Minister of England. We meet him again, gaining on his first essay in arms in a foreign country a sabre of honour and other marks of distinction from a foreign Sovereign, and the highest approval from his own commander. Had the Order of Valour then been instituted, there can be no doubt but that the Victoria Cross would have been awarded to Colonel Rose for his gallantry in Syria. We see him again, transferred to the diplomatic line, earning the warm approval of the greatest Foreign Minister of the nineteenth century,—the present First Minister of the Crown. Transferred to Constantinople, to give him a wider scope for his abilities, we find him there, with a fearlessness of responsibility which too many would have shrunk from, deciding the policy of his country at a critical period, and engaging her to set bounds to Russian ambition. A little later, attached in a semi-military, semi-diplomatic capacity to the Marshal Commanding the French Army in the Crimea, we hear of him again in the front rank, doing deeds which, but for his high rank, would have gained for him the coveted Cross. There is then an interval of rest, and he comes in the hour of danger to the Hindostan. That romantic campaign of Central India,—romantic from its many incidents, its constant marches and combats, its deeds of glory,—for the double victory of Jhansie, and the 'crowning mercy' of Gwalior, showed clearly to all who have studied war, that England yet possessed a General. That determination,—so rare in the present day,—to move forwards; that energy,—so uncommon in all ages,—not once witnessed in the five years' course of the American War,—to turn a defeat into an utter, a ruinous, rout; that self-possession under all circumstances,—that noble self-confidence which hugs to itself responsibility, that directness of mental vision which keeps a man firm to his original object,—all combined to show indeed that in Sir Hugh Rose England possessed a Captain of a very high order of military ability.

Then again, in his final career as Commander-in-Chief, we

Digitized by Google

see the same qualities developing themselves in another form. The care for the men who had fought so nobly under his eyes; the efforts to wean the officers from looking to any other than a soldier's career; the strong sense of discipline and regard for their men which he impressed upon the Generals and the Colonels, the Captains and the Subalterns of his army, were, throughout that career, most strongly marked. His own careful inspection of the troops, of the frontiers, his personal examination of officers, convinced every one that the Commander-in-Chief was in earnest; that he only asked from officers that which he had done and was ready to do himself. At the same time his generous hospitality and his courteous demeanour to all were worthy,—the one of an officer occupying so high and distinguished a position; the other, of the Chief of an Army in which chivalry, it has been well stated, 'has found her last 'refuge.' To say that he had faults is only to say that he was mortal. But whilst we admit those faults, we would call attention to the higher virtues, the larger qualities by which the smaller failings are almost entirely overshadowed. We live, it is true, in a cavilling age; in an age when all the acts of a public man are laid open to the public view, when much that is good is lost sight of, whilst all that is bad is repeated and exaggerated; yet, even in this age, we believe that there are few who study the military character and achievements of Sir Hugh Rose, and who examine his public acts as Commander-in-Chief, but will join in the eloquent eulogy pronounced by Mr. Seton-Karr, and endorsed by the community of Calcutta, on the occasion of the farewell entertainment on the evening before His Excellency left Calcutta for the last time; and will realise the conviction, that 'in the long experience, tried sagacity, and 'well known forethought' of our late Commander-in-Chief, 'England possesses a solid and effectual guarantee for the 'adequacy of our national defences, for the inviolability of our 'coasts, for the protection of the fair homes of England,—for 'everything, in short, within the scope of his command and the 'limit of his observation, that shall concern the peace of the 'subject, or the honour of the Crown.'

Digitized by Google

SHORT NOTICES.

A Letter addressed to the Editor of the Calcutta Englishman *by Mr. John Dickinson, dated February* 1865.

A LOVE of notoriety and a desire to mark his own interested motives in advocating the cause of native princes have impelled Mr. Dickinson once more into print. Before referring to his attacks,—his slanderous and untruthful attacks,—on some of our leading statesmen, we wish to draw attention to the very extraordinary character in which Mr. Dickinson, according to his own showing, appears before the Anglo-Indian Public. He says that he did not advocate the restoration of Dhar from pecuniary motives, but for the honour of the thing. But the 'honour' of working for the restoration of Dhar has not kept him back from accepting a 'testimonial' in acknowledgment of his services. For reasons best known to himself, Mr. Dickinson does not state the nature of the 'testimonial' he received, but he naively informs us that the intended presentation of two testimonials was announced to him, although only one has been received. Expressions like these sound marvellously like a broad hint to the 'large hearted' Holkar, and to the other native princes whose cause he is also always ready to take up 'for the honour of the thing.' Mr. Dickinson seems wholly unconscious that there is anything despicable or dishonourable in this 'modus operandi.' He asks, 'why are you so anxious to persuade people 'that I have worked for money'? 'Why, have you a horror of work-'ing for money?' 'Do you only work for love?' Mr. Dickinson seems utterly unable to detect the difference between working honestly for one's daily bread, and slandering officials for 'testimonials.' Mr. Sergeant Glover, when he bought and edited the *Morning Chronicle*, worked for money and was justified in so doing, but the world did not hold him justified when he took to advocating in its columns the cause of the French Emperor, 'for a testimonial.' Mr. Serjeant Glover however was not so fortunate as Mr. Dickinson. He was done out of his testimonial altogether, whereas Mr. Dickinson has not only received one, but expects to get another. We sincerely trust that the delay in the transmission of the latter may lead to no breach between Mr. Dickinson, and the 'respectable native gentle-'men of Central India' to whom he refers.

But the greater evil attending the presentation of these so-called 'testimonials' seems never to have struck Mr. Dickinson, although we believe it will be readily appreciated by all who have the slightest experience of India. Unscrupulous native officials put themselves in communication with members of Parliament, and other Anglo-Hindoo patriots of the Dickinson type, and on their account, whether with their authority or without it, extract large sums of 'secret service' money from their royal or ex-royal masters. In the Dhar case Holkar seems to have had his work executed at a decidedly moderate

Digitized by Google

rate, and either from his notorious and 'large hearted' love of money, or from his correct estimate of the value of Mr Dickinson's services, an uncommonly small sum of money seems to have been sent from England to Indore. The case of Mysore is altogether different. The spendthrift Raja who, thirty-five years ago, refused to listen to advice, and drove his people into rebellion, is said to have sent an enormous amount to England. Now, we should like to know, what becomes of all this money? Is it all spent on 'testi-'monials?' Or, does it find its way into the money bags of 'Native 'friends?' Or, are there some patriots, less scrupulous than Mr. Dickinson, who pocket the fee, and say nothing about it? Possibly we shall never receive precise answers to these queries, for there are few agitators, be they Members of Parliament or not, who would have the folly to assert that they did not write for pay, but did not scruple to accept 'testimonials.'

But it is 'honour' that Mr. Dickinson covets—the honour of giving currency to the lying slanders which were coined at Indore. In pursuit of this 'honour,' he charges the Government of India with having sent an important despatch to England Overland, and the enclosures round the Cape, so that orders might be passed on the dispatch before the enclosures should arrive. Mr. Dickinson has been before assured that this statement was untrue; he had the means of verifying this assurance at hand; but he could not forego the chance of making a point by this felon stroke: he has therefore again had 'the honour' of giving currency to the most ridiculous falsehood ever conceived.

Again;—There is not a man possessing the slightest knowledge of Indian politics and Indian affairs who would ever have charged Colonel Durand with favouring an annexation policy, and of being an officer of the Dalhousie school. It is notorious that Colonel Durand consistently and conscientiously opposed the Dalhousie policy, and thereby very much injured his own prospects. Mr. Dickinson however has had the 'honour' of giving currency to this ignorant charge, and of being well laughed at for his pains. We do not deny however that Mr. Dickinson is quite capable of inventing a little slander by his own unassisted genius. In his first book about Dhar he had the temerity to insinuate that Dhar was not restored because of the patronage involved in the appointment of a political officer. Will any one in India believe such an absurdity?

We shall now proceed to the other points in Mr. Dickinson's letter, confident that by a very few words of explanation, we shall be able to dispose of all his absurd charges. It will be remembered that, in a previous number of this *Review*, we commented upon the highly reprehensible conduct of Sir Robert Hamilton in not bringing the Dhar rebels to trial,—conduct which certainly laid that officer open to the grave suspicion of having been unduly influenced by Holkar. Mr. Dickinson says that Colonel Durand ought to have tried the Dhar rebels, inasmuch as he remained in charge of the Central India agency for six weeks after the capture of Dhar, before

Digitized by Google

he gave over charge of the Agency to Sir Robert Hamilton. Now, this statement is made by a pamphleteer who professes to have a peculiar knowledge of the affairs of India during the mutiny. It is true that about a month and a half elapsed between the capture of Dhar on the 1st November 1857, and the return of Sir Robert Hamilton on the 15th December. But the siege and capture of Dhar by Colonel Durand formed only the indispensable preliminary to a campaign,—a campaign in which after several sharp actions the Mundisore rebels were beaten and dispersed, Neemuch was relieved, and Central India reconquered. After the capture of Dhar, Colonel Durand had sent the Dhar rebels to Indore for trial; for, in the course of the active operations in the Field, he had no men to spare as guards for rebels dragged about with his small force, and the only possible course he could have pursued was to send the rebels to Indore to await a regular trial. After Colonel Durand's return to Indore, they would have been tried to a certainty had he remained in charge; but he only returned to Indore on the morning of the day on which Sir Robert Hamilton arrived to relieve him, *viz.* the 15th December. On that day Holkar's Regiments were disarmed before Colonel Durand, and the same evening Sir Robert Hamilton and Sir Hugh Rose reached Indore, and Colonel Durand made overcharge. Yet in the face of these plain facts, known throughout Central India, this unscrupulous agitator has the audacity,—ought we not to say, the 'honour',—to charge the culpable neglect of Sir Robert Hamilton upon Colonel Durand!

We have now done with Mr. Dickinson. Had the opinions he has enunciated not been mixed with and suported by assertions which were not merely falsehoods but calumnies, and those too in reference to men of high position and spotless regulations, we should have abstained from all comment or notice regarding them. But, in India, we are jealous of the 'chastity of the honour' of our public men, and as Mr. Dickinson has chosen to indulge a course of reckless and libellous personalities, we have felt bound to expose the 'purity' of his motives, the 'credibility' of his facts, and the 'absurdity' of his pretensions.

Military Sketches, by Sir C. F. Lascelles Wraxall, Bart. Author of 'the Armies of Europe.' London. William H. Allen and Co. 13, *Waterloo Place,* 1864.

This book will always commend itself to English Military readers, not only because it gives the best account, yet presented in a condensed form, of the continental armies, but also on account of the very clear and interesting sketches of three of the most famous living French Marshals, as well as of a fourth no longer living, Pelissier, Duke of Malakhoff. Sir Lascelles Wraxall is not what Lord Mahon used to term, a 'French writer,' still less does he belong to Bonapartist France. On the contrary, whilst keenly admiring the French soldier,

Digitized by Google

he does him, on the whole, something less than justice, and though not quite emulating Mr. Kinglake in his denunciations of the adherents of the present reigning family of France, he looks at them unquestionably with a very doubtful glance.

But, even according to the admissions of Sir Lascelles Wraxall, the French Army, though not equal to the English Army, must still always challenge a soldier's genuine admiration. Yet with all this, we think he has overlooked, or not given the French War Office sufficient credit for, the immense strides the French Army has made since the Italian war. Just after the now remote days of the Crimean expedition, it was the fashion to speak slightingly of the infantry of the French Army, with the exception of that of the Imperial guard and the Zouaves. These latter, it was admitted, had reached perfection. The 'Line' however were denounced as slouching and slovenly on parade, and as useless in the field,—in fact, as the refuse, and a very large refuse,—of the Infantry. Yet, it is in that very branch, in the Regiments of the Line, that progress during the past five years has been most decided and most marked. The greater inducements held out to soldiers to join the Army are attracting men in large numbers. The necessity for the conscription scarcely exists. We have spoken very recently with many privates in the French Infantry of the Line, and have found to our surprise that a very great majority of them were volunteers. It did not surprise us however to find them not only content with the service, but strongly attached to it. They were remarkably clean, very well and serviceably dressed, and, seeing them on parade, every unprejudiced Englishman would have, we are confident, agreed with us, that they were men ready to go anywhere and to do anything. If the present dynasty does not rule in the minds of the citizens, it certainly reigns in the hearts of the soldiers; the men simply adore the name of Napoléon, representing to them as it does, the greatness of France, and recalling the memory of her most brilliant victories.

The first four chapters are devoted to the various epochs of the French Army, from the time of Francis I. to the Empire. We then have a chapter on the Italian War, in which the French and Austrian systems, as they developed themselves on service, are considered, to the great disadvantage of the Austrian. The sixth chapter is devoted to the Austrian Army:—on this we shall comment by and bye. The seventh chapter is given up to the French soldier; the eighth to the British; the ninth, tenth, eleventh, and twelfth, to the four French Marshals we have referred to; the thirteenth to the chances of invasion; and the fourteenth and last to a consideration of Toulon, as a War Port.

It will thus be seen that this is a work which all English soldiers ought to read, and which most of them will peruse with interest. To the general reader, as we said before, the four chapters on the French Marshals will be the most attractive. Yet in these the writer shows, we regret to say, some symptoms of a petty spirit. To what purpose, may we ask, is the comparison, all fanciful as it is, between the

Digitized by Google

Marshals of the first, and the Marshals of the second, Empire, given at page 233 ? Why that sneer at Baragney d'Hilliers, 'who did not 'take Bomarsund' ? The fact that he was the son of one of the Generals of the first Empire, that he himself fought for two years in some of the fiercest battles of that Empire, ought to have saved him from that sneer. A Lieutenant-General so far back as 1843, and a man who had seen as much rough work as his contemporaries, Baragney d'Hilliers had a right to look forward to the staff of a Marshal, as the first reward of an independent command. As for Bomarsund, if he did not literally take it, he certainly commanded the troops present at its capture, and both admirals refused to attempt it until the troops he commanded should arrive. Why again should he speak of Marshal Randon as the soldier-pedant ? Certainly, in France, Marshal Randon is regarded as their very ablest military administrator. His civil government of Algeria was most successful, and it is during his tenure of office that those improvements have been introduced in the organisation of the Army to which we have above alluded. Marshal Randon is in fact the most successful Minister of War since the days of Carnot. And yet, because he is an ardent imperialist, Sir N. Wraxall denounces him as a soldier-pedant. He compares him with Suchet, but Suchet was never tried in the war office. And able as was Suchet's administration of the Catalan provinces, we doubt if it surpassed Randon's administration of Algeria. Why did not Sir N. Wraxall, in his idea of the superiority of the Generals of the old Empire, bring forward the first Napoleon's minister of War, Clarke, Duc de Feltre, who betrayed the master who had loaded him with wealth ?

One exception, however, Sir N. Wraxall makes, and that is in the person of MacMahon. The sketch of his career is written with great vigour and spirit, and it shows that in this descendant of Irish kings France possesses really a General. Niel is not evidently so great a favourite, but we imagine he comes next, in the author's estimation, to MacMahon. The account of Canroberts' vacillation during the time of the *coup d'état* is extremely well written. We know not the sources from which the writer has drawn his information, but we can only say that if his statements are not true, they are very like truth. Canrobert has always shown weakness and dread of responsibility. At Solferino, he nearly compromised the *Corps d'Armée* of Niel, and with it the French Army, by obstinately refusing to move from the position assigned him on the right. Of all the French Marshals he is, probably, the weakest, whilst MacMahon, Niel, Bazaine, and Forey rank highest as Generals in the estimation of Military France.

The chapter on the Austrian Army scarcely does justice to the very great efforts which have been made, during the past two years, to bring about a gradual improvement in the system of promotion in that country. There is no doubt however that the existing system is essentially bad. Few officers, not of noble birth, can aspire to the higher commands in the Austrian Army. This plan always worked badly, but, with a middle class awakening to a sense of the power of its

Digitized by Google

position, it cannot last much longer. This middle class furnishes most of the officers to the Infantry; but these seldom obtain a higher rank than that of Major. The consequence is that the officers of the Austrian Army are pervaded by a strong feeling of discontent. We have seen Austrians grow purple with excitement when speaking of the *camarilla* by which their Emperor is surrounded, and who divert all the patronage upon favourites. The Emperor is well intentioned, but weak, and, contrary to the generally received opinion, interferes but little with his Ministers. To give an idea of the exclusiveness of Austrian Society, we may mention that the family of the Minister of State, Herr von Schmerling, who is a Ritter, the lowest order of nobility, something higher than our Esquire, is excluded from the higher circles. We can imagine how the oligarchy would endeavour to keep the Army all to themselves. However, way is making. Gradually, with the increase of the power of the middle class, their representatives in the Army move onwards. The behaviour of Giulay has not been without its effect. The present Commander-in-Chief in Italy, Benedek, is not only a Hungarian, but he is a plebeian. Austria too has entered into the path of Constitutionalism, and it is felt, in the Army as elsewhere, that in that course lies her only course of safety.

But we must close this seductive volume. Though we have ventured to criticise some of its statements, we do not the less admire the industry, the talent, and the research, by which so large a mass of useful and interesting facts has been placed before the public in so convenient a form.

'*A Plea for Chaplains.*' *Calcutta: Metropolitan Press.* 1865.

This is a forcible and clearly written statement of the grievances felt by the members of the Indian Establishment. Setting forth with pointing out the gradual diminution in the value of the Chaplains' appointments during the last five and thirty years, instancing the 'refinement of injustice,' the service met with at the hands of Lord Dalhousie in 1854,—when, on its being pointed out to him that but few assistant chaplains could expect their full rank and pay till after the completion of their period of service, he remedied the grievance, not by quickening promotion, but by lengthening the service entitling to pension,—the writer thus sums up the reforms and improvements necessary, in his opinion, for the maintenance of the present high character of the service: first, the establishment of a Chapter in connection with the Cathedral of the Diocese; secondly, three additional Archdeacons, for the North-Western Provinces, the Punjab, and Burma; thirdly, the opening to Chaplains of appointments in the educational Department; fourthly, the increase of the salaries of Chaplains from Rupees five hundred to Rupees six hundred and fifty, after six years' service; fifthly, the introduction of a system of increased allowances for large stations.

Digitized by Google

We would most certainly demur to the third and fifth of these propositions;—to the third, because it is not desirable at the present stage of educational development in this country to introduce into the Department a clerical or priestly element; to the fifth, because the introduction of such a system would inevitably lead to worse evils than those it is designed to cure. The main question however is one well worthy the attention of Government. It is a fact that very few earnest clergymen will leave parochial work in England to come to India, if they have a sufficiency in the former country. It is a fact that the Indian clerical service is becoming less and less attractive; that the emoluments of the chaplains are considerably less than they used to be, and that the great increase in prices has made them small even in comparison with a living of £2 or 300 a year.

The real question to be considered by the Government is this. Is it right that a service consisting of educated gentlemen,—who have made India their profession,—should feel that, in comparison with the other sections of which Indian society is composed, they are unfairly treated? Is it right, that maintaining the *status* in society in which they have been brought up, they should be so poorly paid, as to be unable to send their wives to the hills in seasons of sickness, to educate their children without impoverishing themselves, or to save any provision for old age? The writer has clearly shown that his service stands in this respect at a relative disadvantage with respect to the others, and he has indicated the mode in which that disadvantage, to a sufficient extent, might be made to disappear. We think he has made out at all events a *primâ facie* case for the consideration of Government.

Early Travels in India, being Reprints of rare and curious narratives of old travellers in India, in the sixteenth and seventeenth centuries. First series comprising Purchas's 'Pilgrimage,' and the 'Travel of Van Linschoten.' Calcutta. Printed at the Englishman Press, 2, Hare Street, and published by R. C. Lepage & Co. 1864.

The name of the Editor of these rare and interesting travels is attached to the preface, and is, in itself, a sufficent guarantee as to the care and attention given to them. In bestowing his hours of lighter leisure upon annotating and editing the experiences of the pioneers of European enterprise in India, Mr. Talboys Wheeler is conferring a very great benefit on the world of literature. No living man is more qualified than he for the undertaking. His remarkable familiarity with all the details of early Indian History enables him to detect the errors into which these early travellers had fallen, to explain the doubtful passages of their journals, and to point, with unfailing correctness, the turns and twists of courses of action which to them appeared inexplicable. Whilst therefore we welcome the appearance in a convenient shape and form of the journal of an Englishman who

Digitized by Google

visited India in the time of Elizabeth and before the publication of authorised version of the Bible, we welcome it the more heartily, because it is introduced to us enriched by the notes of our ablest modern commentator.

It is curious to look back two hundred and fifty years and to take a glance at the India visited by Purchas. At that time 'the Mogul 'Empire at Delhi was only just growing to the dimensions of an 'Empire. Bengal had only very recently been conquered by the 'Mogul, having been very recently an independent kingdom. The 'Rajpoots were still formidable. The whole of India to the south-'ward of the Nerbudda River and Vindhya Mountains, was alto-'gether independent of the Mogul. The Deccan was in the hands 'of the independent Mussalman kings, who were as prepared to resist 'the Mogul on the North, as they were to fight the Hindoo 'Sovereignties further with. Calcutta, Madras, and Bombay had 'literally no existence at all, as far as Europeans were concerned. 'There was an English factory at Surat, and another at Pulicat, and 'these, we believe, were the only permanent settlements which the 'English at this time possessed in all India. The Dutch were rather 'more fortunate, and the Portuguese were more so, inasmuch as 'their possessions included their famous city of Goa, and the surrounding territory.'

Such was the India of two hundred and fifty years ago beginning to accommodate itself to the dynasty which we in turn have replaced. In civilisation it was then probably as much in advance of the Europe of that day as the Europe of the eighteenth century surpassed the India of the successors of Aurungzib. This applies as well to the size and splendour of their cities, and to the conduct of their Kings. It would be a curious study to enquire how it is that in both these respects the retrogression in India has been so sudden and so marked. Thus, for instance, turning over the leaves of Purchas, we find that he speaks of Agra and Futtehpore, as 'two cities, great and full of people, and 'much exceeding London; and the whole space between is as a con-'tinual populous market.' London had not at that time undergone the purge of the great Fire, which was the foundation of her present greatness. We doubt indeed whether the Mogul of that day, as described by Purchas, would not, in all the attributes of a Governor, bear the palm from our Charles I. and his two sons, to say nothing of their contemporaries Louis XIII. and XIV. of France, and their contemptible successor. 'In the execution of justice,' says Purchas, 'he,'—the Mogul, the great Akbar,—'is very diligent; insomuch that in 'the City where he resideth, he heareth all causes himself; neither is 'any malefactor punished without his knowledge; himself giving 'public audience twice every day'—Further on, he describes him as 'loved and feared of his own; terrible to his enemies; affable to the 'vulgar; seeming to grace them and their presents with more res-'pectful ceremonies than the grandees; * * * . Of sparing 'diet, scarce eating flesh above four times in the year;—sleeping but 'three hours in the night; curiously industrious.' He goes on to describe the arrangements made by the English for their budding

Digitized by Google

trade with India, their contests with the Portuguese, their seemingly insuperable difficulties. To every class such a work must be interesting, but the great reader of it will be the historical student. He who is accustomed to trace the character of nations to their earliest source, will especially prize the light thrown upon the subject by travellers of his own country two centuries and a half ago. In this sense, this book is something more than an addition to the library of the curious. We are satisfied indeed that a careful perusal of it must tend to add to the very slender stock of knowledge we possess of the inner thoughts and feelings of the people amongst whom our lot has been cast. In this view it is, and will certainly be regarded as of great value. With the aid of those other links between that time and the present which Mr. Wheeler has promised us, we may be able possibily to trace some of the traits and characteristics which astonish us in the present day to some recognisable source, and to gain, through them, an insight into the real national feeling.

The literary world, at all events, is much indebted to Mr. Wheeler for this first instalment of a most useful and interesting series.

Digitized by Google

Digitized by Google

THE

CALCUTTA REVIEW.

No. LXXXII.

ART. I.—1. *Papers relating to the System of Police in the Bengal Presidency* (1857.)

2. *Selections from the Records of Government. Papers relating to the Reform of the Police in India* (1861).

OUR endeavour in this paper will be to give a general view of the working of criminal justice in Bengal. In discussing so very extensive a topic in a short paper, it is evident that many of the subjects it comprises must be omitted altogether, or at best be but very briefly handled. However, it is not our intention to enter minutely into a consideration of the police, the magistracy, the criminal bench, and the criminal legislature—subjects on each of which volumes might be written; we wish to confine ourselves only to the *system* of administration, and to a consideration of the *machinery* by which criminal justice is worked. The main spring of the machine is, of course, the method and means of preventing and detecting crime.

The police and magistracy, as they have always been of paramount importance, have also been of the greatest interest always; but especially are they so at this time, when a great change of system therein,—a great experiment,—is being eagerly watched on its trial. We will, therefore, confine ourselves to a consideration of the nature of this change, of the system it succeeded—of its advantages and its defects—and of the improvements of which we think it may be capable.

Before discussing the present state of things, we think it necessary, as well as advantageous, to give a brief history of the various administrative systems, which have been in force since the British occupation of the country. We shall thus be enabled to understand how the system lately abolished gradually grew up, what was the purport of the great controversy about administrative reform, which was commenced now some ten years ago, and what was the nature of the various influences and forces, whose resolution produced the present system.

To begin then.—The administration of justice, civil and criminal, was not exercised personally by the European servants

Digitized by Google

of the Company, till the year 1772:—up to that period, these departments were left, as we found them, in the hands of native officers; and all we did was to appoint certain English gentlemen, called supervisors, to superintend them. In 1772, however, the supervisors became, in their own persons, civil judges and collectors of revenue in their districts. The criminal courts, meanwhile, were still presided over by Mahomedan lawyers, but the collectors had the further duty of attending to the proceedings of this court, 'so far as to see that all neces-'sary evidences were summoned and examined, and that the 'decision passed was fair and impartial.'* The police also was entrusted to the collectors.

This state of things continued only to the year 1774. At this date, (for reasons principally affecting the revenue), the European collectors were all withdrawn. Native officers, called aumils, were substituted for them as district collectors and civil judges, while other native officers, styled fouzdars, were vested with their police powers. The country was divided into six principal circles, presided over by a council of English officers. To these an appeal lay in every case from the aumils, while the fouzdars were subject to the authority of the court of nizamut adawlut, then situated at Moorshedabad. This arrangement which was meant to be merely experimental and temporary, continued till 1780.

In 1780 and 1781 a change of a more permanent nature took place, and things began to assume more of the shape they now wear. The provincial councils were concentrated into one revenue council, called the 'committee of revenue,' which was placed in immediate communication with the Governor-General in Council. Where the provincial councils had been, collectors re-appeared in subordination to the committee of revenue. These officers were chiefly employed in revenue duties, but they also had jurisdiction as magistrates in petty cases. In each provincial circle, a new civil court was established under an English officer, with jurisdiction in all cases *other than those appertaining to the revenue courts.* The fouzdars being soon after abolished, the duties of the magistrate, as regarded heinous cases, were entrusted to the new civil judge, who had power to arrest in this class of offence, and to send for trial to the court at Moorshedabad. The number of these jurisdictions was soon increased from six to eighteen. It will be seen that the lesser powers of a (judicial) magistrate were placed with the collector, whilst his committing powers, and the control of the police, were attached to the civil judgeship.

* The Fifth Report from which, and from Harrington's Analysis, this synopsis is compiled.

Digitized by Google

This continued till 1787. In this year, while the committee of revenue was retained as the Board of Revenue, the offices of civil judge, collector, and magistrate were, as having a 'tendency to simplicity, energy, justice, and economy,' combined in the hands of the officer at the head of each district. This gentleman, (whatever may have been the case with Government,) must have looked in vain for the 'simplicity' of such a *multum-in-parvo* arrangement; and it probably tended to require more 'energy' for its proper accomplishment than humanity is capable of. Who would not smile at the 'tendency to justice,' where every policeman sentenced the man himself had pursued, and every collector pronounced judicially that his own exactions were legal? What were the ideas, we wonder, of those who dignified the penny-wise and pound-foolish policy which brought about such a state of things, with the title of 'economy'?

In 1790, the committal cases of the civil judge-magistrate were, instead of being tried at Moorshedabad, tried by newly appointed civil courts of circuit, the nucleus of the present sessions judgeship.

In 1793, Lord Cornwallis introduced a most important change. It will be perceived that, as yet, the collectors had also been civil judges *in all matters relating to the revenue*, with a judicial appeal lying from them to the Board of Revenue, Lord Cornwallis took away all this jurisdiction at once, and transferred it to the civil judge. His reasons for thus separating the fiscal from the civil judicial functions are recorded in the preambles to Regulations II. and III. of 1793, in that weighty and emphatic language which distinguishes the laws of those days. The argument, though contained in a simple statement simply worded, is so strong and unanswerable, so worthy of being always kept in mind, that we cannot refrain from quoting it. Regulation II. says:—'It is obvious that, if the 'Regulations for assessing and collecting the public revenue are 'infringed, the revenue officers themselves must be the aggressors, 'and that individuals who have been aggrieved by them in one 'capacity, can never hope to obtain redress from them in another. '* * * * * * The collectors must not only be divested of the 'power of deciding upon their own acts, but must be rendered 'amenable for them to the courts of judicature, and collect the 'public dues subject to a personal prosecution for every exaction 'exceeding the amount which they are authorized to demand, 'on behalf of the public, and for every deviation from the regula-'tions prescribed for the collection of it.' Lord Cornwallis did not stop here. He next proceeded to separate the revenue officer from the police magistrate, for reasons as strong, and as strongly expressed. The purport of these reasons is given in the

above quotation, and on these grounds, he made over the collector's powers as a magistrate to the civil judge.

From 1793 to 1830 things remained unchanged. In each zillah there was a civil judge, who in addition was police magistrate, doing, in the latter capacity, exactly those duties which, a few years ago, were performed by the district magistrate. He was assisted by an officer called a register, and by assistants. The collector was *merely* collector, just as he was before the late union of the offices in 1860, and the functions of criminal judge were performed by a court of circuit, which visited each zillah at stated intervals.

The civil judge began to find that the duties of magistrate and policeman were too large to be added on to his judicial labours, and so, in 1830, a law, which had been passed in 1821, was put in force, whereby the magistracy was taken from the civil judges, and handed over to the collector, who thus became the collector-magistrate as he was just before the introduction of the new police system. The register, who had been subordinate to the judge, was made subordinate to the collector-magistrate, and became the joint magistrate and deputy collector of the present day. At the same time the civil judge of each zillah became also its sessions judge.

In 1836, the memorable committee sat to enquire into and report on the state of the police, which had been found to be deplorably unsatisfactory. After the system had been tried for seven years, they reported in very strong terms against the junction of the two offices of collector and magistrate. They attributed the most serious evils to it in the most unqualified language, and earnestly recommended their separation. Accordingly, in 1838, they were separated, and from that time till 1860 there were in each district one judicial officer for civil and criminal cases, one revenue officer and one police magistrate, who, however, had so great criminal judicial powers as to be authorized to sentence to imprisonment for so long a term as three years, notwithstanding that he was also policeman.

Though the system of separation in the offices of magistrate and collector obtained till 1860, the question of again uniting them began to be discussed so early as in 1854. The battle waged between the supporters and opponents of this union is fully and most interestingly recorded in the publication which stands first at the head of our article. The second placed publication seems to us not to lay any sufficient stress on this important and much debated question; the reason for which may probably be, that in the days of the late police committee (who published it) the matter had already been practically settled, and the union made. Our own convictions are very

Digitized by Google

strong against the union. We cannot but consider it as an evil lying at the root of the matter, and in this view we are supported by authorities worthy of very great respect. It is so prominent a point for consideration when constructing any new system of police, that it is to be regretted that the late committee did not publish the controversy in a less mutilated form; we think it therefore advisable to give a *resumé* of the discussion, as it throws a flood of light upon our subject, and we will endeavour to do so with all the brevity our purpose will allow.

In 1854, Lord Dalhousie, as Governor of Bengal, submitted to the imperial Government a scheme, drawn up, we believe, by Mr. Beadon. In that paper remedy was proposed to be provided for some admitted and very unmistakeable evils in the system of administration; but the chief attack was directed against the separation of the offices of magistrate and collector. In that paper it was asserted—*firstly*, that the service, which had in former days been called on to supply to each district, either only a collector and an united judge-magistrate, or a judge and an united collector-magistrate, was not capable of efficiently supplying each of the three offices as distinct appointments—*secondly*, it was asserted (most truly) that, notwithstanding the separation enforced by the police committee of 1836, the police were no better than they had been, when the offices were united—*thirdly*, it was argued that a great loss of power had resulted; for not only was the influence of the collector with the zemindar lost to the magistracy, but there existed in Bengal, 'one class of officers, the collectors, of 'mature standing, highly paid, and with very little work; 'while there was another class, the magistrates, inadequately 'paid, with very heavy work, and without sufficient experience 'to enable them to do that work in such a manner as fully to 'command the confidence of the community, however zealous 'they may be.' *Fourthly*, it was shown that, under the then existing state of things, men between twenty-five and thirty-one years of age were 'charged with the preservation of peace and 'order, and with the security of life and property, through-'out a large district; the real representatives of the character 'and authority of Government in the eyes of the people, 'without any official superior at hand to control and guide 'them, or any but private and irresponsible advice to depend 'upon; and when at the age of thirty-one, their experi-'ence is matured, and they have arrived at a period of life when 'the physical and intellectual powers are together in full vigour, 'they are transferred to another department of the service, for 'the special duties of which they have had little training, and

Digitized by Google

'that almost forgotten, and when their time is insufficiently occupied, and their energies rust, until their turn comes for promotion to the judicial bench.' *Fifthly*, it was urged that, from the method of collection in the Lower Provinces, there was no error in principle, or objection in theory, to the union of fiscal and magisterial functions in Bengal; inasmuch as the collector could not call in the police to aid him in his operations, as full security against such abuse of power was provided in the facts that every man's due was known, that the law provided full means for realizing it, and that the protection of the civil courts and of the local commissioner was close at hand. *Lastly*, while it was admitted to be really desirable, that there should be a separation between the executive and judicial functions, it was suggested, as an approximation thereto, that the magistrate's power as criminal judge should be curtailed, and that he should be required to make over the greater portion of his judicial duties to qualified subordinates, 'devoting his own attention chiefly to police matters, and the general executive 'management of his district.' To the above arguments Mr. Halliday first joined that of the success of the union of the offices elsewhere; of its being in high favour in Bombay, Madras, the North-West Provinces, &c. &c.

Having thus argued for the union of these two offices, the Bengal Government proceeded to unfold their scheme for the administration of the Lower Provinces, their special objects being to remove the errors of the 'perpetual change of civil 'officers from one district to another, and from one branch of 'administration to another, and the great deficiency of gradual 'training, more especially for judicial functions.' The paper we refer to says:—'all those who are acquainted with the details of 'the system are aware that some explanation may be given of 'what appears, to many, a total want of all training throughout 'its different branches. But then people not acquainted with 'the details are told, that a young civil officer, after being for 'some time an assistant, when he is nothing in particular, is 'made a magistrate; that, after a few years, quitting the magis-'tracy for the revenue branch, he becomes a collector; that, 'after a few more years, his next step of promotion takes him 'from revenue duties, and makes him a judge; that, if he be 'a man of ability, he will, probably, from a judgeship, be moved 'to the office of commissioner of revenue; and that the same 'ability will, in all probability, next promote him from a re-'venue commissionership back to the judicial bench in the 'sudder court,—when people hear that a civil officer 'thus oscillates, through his whole career, between executive

Digitized by Google

'and judicial duties, and that each step he gains is one which does 'not tend to fit him for the step that follows after,—when people 'hear all this, what wonder can there be that the administra- 'tive system is condemned off hand, and that all the evidence 'given in explanation before committees of parliament, and 'then buried deep in folio blue books, wholly fails to remove 'the ill impression that has been produced.' It then proceeds to state the principle that should be used to remedy these evils. 'It has always appeared to me, (writes Mr. Beadon), that the 'further we have departed from the Indian system of centering 'all executive control within a given tract of country, in the 'hands of one man, the more we have weakened our hands, and 'frittered away the administrative force which, centred in one 'responsible officer, can be far better and more effectually exer- 'cised for the protection and improvement of society, than 'when, under the specious argument of a division of labour, the 'same force is divided between two independant and frequently 'antagonistic departments. It seems to me that the true 'theory of Indian Government ****** is the entire subjection 'of every civil officer in a division to the commissioner at the 'head of it, and the entire subjection of every officer in a 'district to its executive chief. Even as regards judicial 'officers, I am satisfied that a great advantage is gained by plac- 'ing them, in all matters of an executive nature, directly under 'the commissioner, just as the sudder court, in its executive 'capacity, is subordinate to the local Government, and leaving 'them independent only as regards their judicial decisions.' This states, as well as it can be stated, the theory of Indian Government affected by many (formerly by almost all) of our ablest Indian statesmen; and it was on this theory that the Bengal Government proposed to equalize the salaries of the chief executive officer, (the collector-magistrate,) and the chief judicial officer, (the civil and sessions judge,) in each district. Both of these were to be subordinate to, and under the control of, the commissioner, but the judge only in his executive capacity, and in his supervision over the inferior judges. The assistants, (including joint magistrates and deputy collectors) were to be for four days in each week, at the disposal of the collector-magistrate, and for two at that of the judge, for employment in minor civil business. They would thus acquire experience in both the executive and judicial departments for many years. In course of time they would be promoted to become either executive or, (on equal pay,) judicial heads of a district, according as Government found them to possess fitness and qualifications for one office or the other. Then there would take place no

Digitized by Google

further change of department at all in ordinary cases—for, as a rule, commissioners would be selected from those who had selected the executive department as their sphere—while the sudder court would ordinarily be recruited from those who had chosen the judicial department. It was further proposed to make a new grade of provincial judges, with a rank intermediate between the zillah and the sudder judge, and a salary equal to that of a commissioner. By this means able men would be induced to remain upon the bench. Exercising higher powers, they would make the law more accessible and less expensive to the people, in regard to both money and time. They would lessen the work of the sudder court, and so bring about the reduction of that body to three judges, whose three seats would thus become the chief prizes held out to the judicial branch of the service, just as the three seats in the Board of Revenue are the chief prizes afforded to the executive.

We have not made a full detail of the scheme which was brought forward by Lord Dalhousie, but which, we believe, was really devised by Mr. Beadon. It met with very strong opposition from Mr. J. P. Grant, then a member of the supreme council. Mr. Grant admitted many of the evils urged by the framers of the scheme, and owned his concurrence in some items of the proposal. But while admitting his sincere admiration of its 'fascinating simplicity,' and its 'excellent adap-'tation to the two ends in view,' he nevertheless considered that there were insuperable objections to the proposed measure. We will enumerate his objections to the union of the offices, and state the scheme of administration that he suggested as we have just done with the former scheme.

Mr. Grant earnestly opposed the union in one person of fiscal, police, and judicial powers. He most entirely concurred with his opponents in condemning the then existing state of things. He admitted it to be true that some magistrates were inexperienced, and that by extreme faultiness of method in working the system, light work, requiring no large experience, was given to experienced men on high pay; while difficult and heavy work, requiring long experience, fell to inexperienced men with low pay; so that thus when a man had at last acquired experience, he was generally promoted out of the office which required it. But he argued that this could not possibly be urged as an objection against so obvious a principle as that of the division of labour, but only as an argument against, what Mr. Grant called, 'the glaring error of manner,' 'the strange 'and indefensible method,' in which the principle had been

Digitized by Google

carried out.* Given a heavy office requiring long experience, and an experienced officer; also a light office needing no great experience, and an officer of experience sufficient for it, and then nothing can be more obvious than the proper method of distributing the two officers to the two offices. 'I have never heard,' says Mr. Grant, 'a practical objection to the present system; 'which would not be avoided immediately and certainly, by the 'simple process of transposing the salaries of the two offices.' Let the reader turn back to pages 229 and 230, and see how many of the six objections urged by Mr. Beadon against the then existing scheme are at once obviated by this most simple expedient. Let us take them in their order.—As to the first, Government would be called on to provide no larger staff of officers in each district than it had been doing for the last seventeen years. The work of providing fitly would be made inexpressibly easier, for while the more experienced men would be available, as was desired, for the magistracies, it would hardly be denied, that their juniors who had (on the whole,) made fair magistrates, would be fully qualified to become collectors. The third and fourth objections are directly remedied, while the fifth and sixth are not objections to an existing system at all, but apologies for a proposed one. As regards the second item, Mr. Grant admitted that *of course* the mere separation of the offices neither *had* benefited, nor *could* benefit, the police—any more than their mere union had or could—witness former experience which had brought about the police committee of 1836. Such changes, being mere surface changes, not going to the root of the matter, had of course no influence on the character of the police, which was therefore, after each change, left much the same as it was before. The only way to benefit the police would be to make a change, not in the magistrate or collector-magistrate, *but in the force itself*, in the body of the constabulary and in the native officials at the thana. Last on that list comes Mr. Halliday's argument deduced from the alleged success of the union elsewhere, in urging which argument, Mr. Halliday actually held up as examples to Bengal, such places as Burmah, Assam, Arracan, and even the South-West frontier, and that when they were ten years younger than they are now, Mr. Grant replied to this that there was an utter want of all analogy in the examples cited. He argued that the *principle* of joining

* The reason is that India was then in financial difficulties, and the Government was increasing their revenue by a vigorous exercise of the resumption laws, and did not therefore wish to take their best men from the revenue department. It is not the only instance of a temporary pressure being allowed to induce a permanent error in Government.

Digitized by Google

police to fiscal functions in any place was bad, and the practice mischievous. He admitted that it was possible to make some excuse for the system in such places as Bombay and the North-West Provinces where expediency might be pleaded. There the Collector's work is of such paramount importance, and the system of collection brings him so much influence in his district, that there is some force in the argument that all this influence and importance would very greatly benefit the police when carried over to that department, that the police could not afford to lose it, and that therefore there was no choice but to abandon the principle. This excuse, however, cannot possibly be urged for Bengal, and the argument has no sort of standing there whatever.—'A collector in Bengal', (writes Mr. Grant) 'neither has, nor ought to have, influence by reason 'of his office in his district. If the revenue is paid, he must 'take it; if it is not paid, he must advertize for sale. As the 'judge in summary suits for rent between zemindars and ryots, 'any attempt to acquire influence would be criminal. His mis-'cellaneous duties are of such a nature as would give no man 'influence any where. As guardian of wards and maker of 'partitions, he acts only occasionally and upon individuals. He 'rarely makes a settlement and never makes one of any impor-'tance. I do not therefore see how, by his influence, he can 'benefit the police of his district.' As for Arracan, Assam, &c., Mr. Grant of course refused to treat these recently acquired, impoverished, uncivilized wilds, as being capable of affording any example to such a place as Bengal. 'But,' (he concluded,) 'if we are to make this appeal from theory to practice, as our 'present business is only with Bengal, why is the appeal so 'carefully confined to all other parts of India, except Bengal, 'when we have actual experience in Bengal itself to appeal 'to? Why is the fact that we have such experience in Bengal 'itself so carefully kept out of sight?'— and then he gives the damning report of the police committee of 1838 given in their paragraphs 8 and 12 concerning the union of the offices, after experience in Bengal itself.

To support his protest against the breach of the principle of separation, a principle admitted in all the well governed countries of the world, Mr. Grant pointed to the humiliating and awful exposure, then recently made, in the matter of the Madras Torture cases, to show what enormous evils might go on, and for what a length of time they may go on, utterly unperceived and unknown, merely because police and fiscal functions were united, because the punishing and restraining functions were unnaturally leagued with the functions requiring to be watched and

Digitized by Google

restrained. And all this too, although affairs were superintended everywhere by energetic and undoubtedly honest English gentlemen. Mr. Grant admitted that the evils of the combination were much lessened by being in the hands of such officers, indeed his argument was that the main evil came from the indirect effect of the combination upon the native officers subordinate to the magistrate-collector, and upon the minds of the natives of his district. 'Yet,' (writes Mr. Grant,) 'even 'so far as the European officer's own acts and omissions are con- 'cerned, I cannot admit that the evil is so small in degree as 'to be otherwise than material. I wish I could make this 'admission, but I cannot do so with truth. I cannot rise from a 'perusal of the Torture Report without feeling that there has 'been a degree of blindness, slowness, dulness, and inaction in 'the Madras collector-magistrates in relation to the practice 'of realizing revenue by torture, which certainly so many 'active and intelligent gentlemen would not have shown if the 'torturers had been private persons, and the object had been 'something in which these collector-magistrates had no official 'interest. I say this with sorrow, and I make allowance for 'the false position in which these officers are placed.'

Mr. Grant also pointed to the result of the Madras Torture Commissioner's Report. That result was that the once universally lauded 'native system,' whereby every police officer from the highest down to the meanest peon was a revenue officer likewise, was now universally condemned and abandoned as insupportable; while the Court of Directors forbad the combination in the case of all *native* officers. Thus the 'native system' was an abomination, and by all recognized as such 'when worked in 'the only way its inventors contemplated its working, and but 'for the miracle of the country having fallen under the dominion 'of strangers from a distant Western island, it must now be 'admitted that the theory of the propriety of this union of dis- 'similar functions as an Indian practical question would have 'become hopeless. Therefore the contention of all the sup- 'porters of this union who accept the judgment of the Home 'Government as pronounced in this dispatch, must now be 'narrowed to this position—that the Mahomedan system, though 'abominable under the Mahomedans, became by a wonderful 'accident, the best possible system for the country they mis- 'governed, when put into the hands of Englishmen, though 'confessedly it is a system which is contrary to all English 'principle and practice, and is disagreeable to the common- 'place English mind. And it is further contended that the 'fact that Englishmen are in a particular province, (Bengal,)

Digitized by Google

'a numerous and fast-increasing part of the community, forming already one of its most important classes, and promising to become quite its most important class, is no special objection to the adoption of this Mahomedan system in that particular province.'

'It is quite true,' (he adds in another place,) 'that under the Bengal revenue system, revenue officers have not so much temptation to extract payment of revenue by unlawful means as they have under the Madras system. But it is equally true that rent is every day extorted in Bengal by unlawful means; and rent is the mother of revenue. I should think it a very hard task to convince an English politician that—although the fact of ryots being tortured with impunity in order to extract payment from them, has proved the necessity of disjoining the functions of police and criminal justice from those of the collector of revenue, where the ryot pays directly to the public treasury,—the same fact does not make it undesirable to unite the same functions, where the ryot's money reaches the treasury through a middle man.'

He protested against the ignoring of those obvious and general objections which all admitted to have weight, and which rule the practice in all the well-governed countries of the West; in order to follow the condemned and execrated system of the half civilized East, that we might unite two functions which are incongruous, which have nothing in common, and which require different species of talent for their proper discharge.

Lastly, Mr. Grant urged that there was no reason to hope for any better result from uniting the offices. A much better man would be required to manage two businesses than only one, while an incapable man would be much more mischievous at the head of two departments than of only one. It could not be hoped that all collectors would be fit for magistracies. Mr. Grant pledged himself that when he was connected with the Bengal Government, fully one quarter of the collectors who did tolerably in that capacity were unfit to be magistrates, and incapable therefore of the double charge. But be the proportion what it may, it was obvious that that proportion of the districts in Bengal must be placed in all departments at the feet of an incapable man, or else that the boy-magistrate must be put over the head of his senior to become a boy-collector as well, while the senior must become his deputy, losing that pay and position to which by his service and qualifications as a collector he was fully entitled. If the labour were divided, every good collector (and every good magistrate) could be made the most of,— whereas by uniting the offices power would be lost

Digitized by Google

—for there would be a loss of every man who was *only* a good collector, or *only* a good magistrate.

The objections to uniting police with criminal and judicial powers are so obvious and so universally admitted, that it is not necessary to occupy space with Mr. Grant's arguments thereon. The union of fiscal with criminal judicial functions has never been by any one objected to. Such were Mr. Grant's powerful arguments against the union of the two offices. He urged further objections to the Bengal scheme; he objected to subordinating the judge to the commissioner who must often be an anxious, and even a prejudiced, party, to cases the judge would have to decide. On this point he writes:—

'A judge, if a judge at all, should be independent. But the 'mere fact of his decisions not being appealable to the com- 'missioner, will not make him independent if in all other res- 'pects, or in any other respect, he is placed under the com- 'missioners' superintendence and control. The same objection 'applies even more strongly to the subordinate native judges. 'The sudder court, as the body which best knows how the 'lower courts do their work, and as the only public body which 'is in a position to pass an impartial opinion upon that work, 'seems to me obviously the best authority to superintend all 'inferior judicial officers.'

Mr. Grant also objected to equalizing the pay of the collector-magistrate and judge. The judge's was the far more important office of the two; his criminal powers were five times as large as the magistrate's; and he had the power to reverse, even with censure, any judgment or order of the magistrate. He was therefore plainly set up as the magistrate's superior, and should be paid to correspond. If the two offices were equally paid, the judgeships would of a surety be given to inferior men. The difficulty of finding men capable of doing the double offices efficiently would be so great, that the Government (looking as it always must to the collectors) would keep the best men in those capacities, while the bench would get but the dregs and lees. The people, however, looked to the judge on whom, more than on any single officer, depends the prosperity of agriculture and commerce, and through whose hands passed all disputes concerning private property in land—the great cause of the wealth and civilization of Bengal. It was for this reason therefore necessary to attract the very soundest heads to the office of judge.

Having thus attacked the Bengal Government's scheme, he proceeded to suggest one in its place. It was his opinion, (now one universally held,) that the most essential change of all was to

Digitized by Google

separate the judicial and police functions. He therefore proposed to take all judicial powers from the magistrate, leaving him only his executive and police duties. The district was to be 'wholly 'cut up' into sub-divisions, each to be in charge of a deputy to the magistrate, having police powers, but no judicial powers at all. He proposed to leave the magistrate, as at present, a criminal as well as a civil judge, but to assimilate the sudder ameens to him in this respect, and give them, one and all, criminal powers to a certain extent in addition to their present civil powers.

To each sub-division was to be one of these officers, to whom the deputy magistrates were to send for trial such cases as fell within their cognizance. The joint magistrates, the deputy collectors, the sudder ameens, and the assistants at the sudder station, were to hear criminal cases beyond the powers of the sudder ameens and moonsiffs at the sub-divisions. The collector was to be merely a revenue office, but with powers to try criminal cases if he had time. The magistrate and collector were to be equal in emoluments, and each office was to have three grades of pay attached to it. Each district was to have one joint magistrate and deputy collector, as the lieutenant to the magistrate and the collector, ready to act temporarily for either: while the assistants were to be employed at first in the three departments of revenue, minor criminal justice, and minor civil justice, being after a time put into charge of the police of a sub-division, till they came to the position of lieutenant of the district themselves. Promotion would then run thus:—the lieutenant would become either a collector or a magistrate, being selected as much as possible according as his qualifications would adopt him for the one office on the other. Men incapable of being more than tolerable collectors would be left to complete their service in that capacity; while fromthe good men, and *the good men only*, of the magistrates and collectors, the judges would be selected.

Lord Dalhousie's grade of chief provincial judges was accepted as an excellent, indeed a necessary, step. From a zillah judgeship, Mr. Grant proposed that promotion should be either to a commissionership or to a chief provincial judgeship, due attention being here also shown to the qualifications of the men for one or other office. From this point the lines were to be kept strictly apart, the provincial judges looking to the sudder court (which was to be reduced to three judges,) and the commissioners to the Board of Revenue.

According to this plan a civilian would be gaining experience in all departments up to the time of his becoming a collector

Digitized by Google

or magistrate, and his work in either of these offices would tend to qualify him for the bench. 'If any one objects (says Mr. Grant) 'that I make men judges who have never been judges before, I 'reply that so must all judges be first made. But if any one 'objects that I make men judges who have not had the oppor- 'tunities of acquiring in the course of their previous training, 'the knowledge and practice best adapted to form a good judge 'in India, I affirm the contrary, and I join issue on that 'question. As the alternative has been demonstrated over 'and over again by the greatest authorities on Indian sub- 'jects, I will not stop to argue it here. The real fact is that 'whatever mofussil office an Indian civil servant is in, he 'begins doing essentially the work of a judge when he first 'quits college, and he never leaves off doing it till he takes his 'annuity.'

The objection to the general inexperience of magistrates would in this scheme be met, for the equalizing the pay of the magistrates and collectors would have the effect of doubling the experience of the magistrates (even of the oldest), while, best of all, there would be a complete and perfect separation of the police from judicial or fiscal functions.

Such were the views and proposals of Mr. Grant, and the matter now went into the hands of Mr. Halliday, then Lieutenant-Governor of Bengal. This gentleman had been a distinguished member of the police committee in 1838, and in those days he with the rest of that committee condemned the union of the offices of magistrate and collector, attributing to that union in a great measure the admitted break-down of the police. After condemning as incompatible the union of fiscal and police powers, he went further and added, 'but the junction of thief- 'catcher with judge is surely more anomalous in theory, and 'more mischievous in practice.' In later years however Mr. Halliday underwent a total change of opinions, and he became a most thorough-going supporter of what he fitly called the oriental system, and in it he far went beyond the position held in the Bengal Government's scheme. He was convinced that it was essential to good Government in India, to pursue the system of centralizing all authority within prescribed large areas, in the hands of one man; and more especially did he wish to do so in those areas which constitute districts. Feeling this conviction he spoke with regret of the old days, when the chief authority was vested in the judge; when that functionary was not only civil judge, but also chief executive officer, the head of the police, and a minor criminal judge. He admitted however that the judge had not time to perform these manifold

Digitized by Google

duties, and he therefore advocated the concentration of power in the hands of the next senior civilian by making him collector and magistrate. Although in 1838 almost all the collector-magistrates, combining with almost all the unofficial gentlemen examined, told the police committee that the union was incompatible, that in practice it was mischievous, and that while the collector's position could not enable him to benefit the police, it prevented him from devoting proper attention to his magisterial duties, and although Mr. Halliday himself, with the whole of the committee, had agreed with this in their report, and had therefore recommended the separation, he now declared that the collector's influence *must* benefit the police, and that his work was so light and easy that he could do both that and the magistracy united full justice. So far from agreeing with that part of Mr. Beadon's note which admitted it would be an advantage to separate the judicial and police functions of the magistrate, he considered that it was *essential* that the magistrate should be not only collector but policemen and also criminal judge, and instead of lessening this policeman judge's criminal powers from the then three years' limit, he proposed greatly to increase his authority and position by raising the limit to seven years. 'I am very sure,' says Mr. Halliday, 'that our mofussil administration will, *cæteris paribus*, 'be generally efficient, while it is certain to be also acceptable to 'the people, according to the degree in which it conforms to the 'simple or oriental in preference to the complex or European model. 'The European idea of provincial government is by a minute 'division of functions and offices, and this is the system which 'we have introduced into our older territories. The oriental idea 'is to unite all powers into one centre. The European may be 'able to comprehend and appreciate how and why he should go 'to one functionary for justice of one kind, and to another for 'justice of another kind. The Asiatic is confused and aggrieved 'by hearing that this tribunal can only redress a particular sort of 'injury, but that if his complaint be of another nature, he must go 'to another authority, and to a third or fourth kind of judicature 'if his case be in a manner incomprehensible to himself, distinguishable into some other kind of wrong or injury. He is unable 'to understand why there should be more than one *hakim*, and why 'the *hakim* to whom he goes, according to his own expression, as 'to a father for justice, should be incapable of rendering him 'justice, whatever be the nature of his grievance, or whatever 'be the position of his adversary.'

Mr. Halliday objected that it would never do to have in sub-divisions one officer (especially if he were a native) in charge

Digitized by Google

of the police sending cases for trial to another one—also especially if that other too were a native.

He stated that even in sudder stations great and serious evils were felt from the 'antagonism of a locally opposed judicial and 'executive authority' as when a weak judge but feebly and ineffectually controls the magistrate, or when the vigorous encroaching judge makes the magistrate a cypher, and takes his power and responsibility into hands for which it was never intended.

This, bad enough when confined to the sudder station, would be spread all over the district, and not in the mitigated form which it would bear between two highly educated English gentlemen, but in the aggravated form which it would assume between merely orientally civilized natives.

'Conceive,' says Mr. Halliday, 'every darogah opposed perhaps to an antagonist local moonsiff, and every native deputy magistrate to a native sudder ameen at an out-station; imagine the bickerings, the criminations, and recriminations that would ensue. For, though under the greatest provocation, corruption is the last thing which a native ever imputes to an European judge or magistrate; it is the first imputation which a native casts on a native on great provocation, slight provocation, or no provocation at all. Thus, in but too many instances would executive officers account for every failure by insinuations against the judicial department, and thus as often would the judicial functionaries retort by insinuations against the purity of the executive. At the best, all the difficulties and embarrassments which even now not unfrequently impede the administration, owing to divided authority at the chief zillah stations, would be multiplied a hundred-fold. If it were asked why crime had increased in a given district, the executive officers would reply, "Because of the pertinaciously unreasonable acquittal "of all our criminals by the judicial functionaries." If the judicial functionaries were in any way questioned for this result, they would answer, "It is because of the negligence and "inefficiency of the executive." Nobody would be responsible. Power would be everywhere divided and everywhere contending against power. The administration of the interior would be torn in sunder, and the result would be good made bad, bad made worse, and confusion everywhere worse confounded.'

Mr. Halliday also submitted a third scheme, in modification of that proposed by the Bengal Government. He opposed the subordinating the judge to the commissioner; he was opposed to equalizing the pay of judge and collector-magistrate; but he accepted as a great boon the creation of a grade of chief

Digitized by Google

provincial judges. He proposed to leave the zillah judge as he found him, but to unite the offices of magistrate and collector, giving the magistrate charge of the police, and leaving him his criminal and judicial powers. He was to have a joint magistrate and deputy collector as his lieutenant, and assistants as now. In fact, his scheme was just that form of administration which existed before the introduction of the new police, with the one exception that Mr. Halliday did not object to the exercise, by *some* moonsiffs, of minor criminal powers. Mr. Halliday objected most strongly to taking the police out of the hands of the magistracy. He, and not he alone, went so far as to declare it to be an advantage that the magistrate, as being responsible for the peace of his district, should have an *interest* in obtaining convictions, so that a guilty but acute offender,—of whose guilt the magistrate might be 'morally convinced' (whatever that may mean,) might not be able to take advantage of the delicacies of the law, and escape by means of technical flaws and legal niceties. Such an opinion would to most people sound monstrous, now-a-days, and it is one which we are far indeed from concurring in. We must however in fairness admit that, supposing a state of things to exist, which we believe has been improved off the face of India, there is much to be said for it, and it has certainly been held by many distinguished men besides Sir F. Halliday.*

* The writer has now under his hand some lectures on Indian History delivered by the late Sir James Stephen to the students of Haileybury College, in which he endeavours to instil very much the sort of principle we refer to, into the minds of the future civil service. The lectures were taken down word for word as they were spoken. Sir James talks of the action taken by Lord Hastings against the Thugs and Dacoits, and of the special police organized to break them up, and he greatly applauds the steps taken. He mentions how the special police were absolved from all responsibility to any court of justice or to any local Government. How the English attachment to the writ of *Habeas Corpus* was 'got rid of.' How the new police were authorized to detain suspected men in jail for any length of time whatever. How they were authorized not only to put damaging questions to the accused, but even to 'worm the TRUTH (?) out of them by promises of 'pardon if so they might be tempted to betray and turn approvers;' and how it was not deemed at all necessary to prove a criminal act against an accused man in order to imprison him. He mentions how the first gang ever seized was actually detained in prison for *seven years* without their guilt being proved. At last, however, it was 'made known to them,' that evidence, sufficient to procure their conviction, had been obtained, 'on which 'these men, finding there was no use in holding out, confessed their own 'guilt, and that of their neighbours,' and on their evidence a 'vast number' of Thugs and Dacoits were seized. 'Many of these people were executed.' ....'The approvers were not put to death'...'This shows,' says Sir James, 'that a wise and brave man will break through other *idle obstacles*, (!!) 'so also the most cherished and dearest principles of his country, to get at

Digitized by Google

Lord Canning in 1857 recorded a minute which in most respects coincided with Mr. Halliday's views. The mutiny intervened; but in 1860 the offices of magistrate and collector were again reunited, and the (former) magistrates were converted into Joint Magistrates and Deputy Collectors. Singularly enough, they in that capacity, retained the immediate direction and management of the police, the magistrate only exercising a general superintendence and control. With an inconsistency the most startling, the chief argument which had been employed to bring about the change was, in practice, deliberately abandoned as soon as the change had been effected. The inexperience of the magistrate, *especially* in his police capacity of police officer, had been most forcibly urged, while the fact and its resulting evils had been most fully admitted; and yet, when the change is made, the immediate control of the police is left with that very same junior officer, whose retention of it had been reprehended by all parties to the controversy, and had been made the excuse for the change. What are we to think of this? Was it that the vulgar cry

that without which neither country nor social life are worth having. I mean peace and *justice* (!). Lord Hastings felt higher law than the law of England. The 'Salus Reipublicæ was to be the Suprema Lex,' * * * * and by that law he guided his legislation and administrative Acts. It was well that Lord Hastings had the courage to defy all English prejudices. It was well that Lord Hastings had courage to relieve all those officers of any responsibility save to himself; to put an end to our *Habeas Corpus* notions; to disregard the prejudice which would examine a man as to his guilt. It was well that he had courage to punish the criminal before his actual conviction, but, (he concludes,) '*it would have been far better if 'the necessity for such measures had never existed at all.*' Just so. It would have been far better. We see no reason to boast of the system thus lauded, for the very utmost that can be said in its favour is that it was a most lamentable necessity. But we do not think it was a necessity at all. The husbandman slept, and his enemy took the opportunity to sow weeds in his crops, and then the awakened farmer sent ignorant, rough-handed labourers, not in a position to distinguish between wheat and tares, to root out the latter at whatever damage to the farmer. Had steps been taken to make the regular police an efficient and active body, and the Dacoits been proceeded against under the proper and righteous safeguards to justice which are so essential to all social prosperity, we believe that the same benefits would have been obtained without the gross injuries which must have been inflicted by that abnormal, arbitrary, we had almost said violent system which condemned men on the evidence of known and infamous miscreants, whose safety depended on the destruction of others; and upon what were curiously called 'full and voluntary confessions' made by wretches after a long and painful evidence against them and apparently hopeless detention, unjustified by any evidence against them. Government having failed in the duty of raising a good regular police, supplied the deficiency by the, to say the least, dangerous expedient of those Dacoity Commissions which an effective regular police has at length abolished.

Digitized by Google

against 'boy-magistrate' was made use of as a pretext rather than as a reason, and given way to only because it furthered a favourite scheme? Was it that the upholders of the union, in the pursuance of their plan of centralization, considered it sufficient that the supervising power only, in all departments of Government, should be in one pair of hands, while they admitted that, practically, the immediate work must be carried on through distinct and separate channels; in other words, that they did not feel objection so much to the *fact* of separation as to the *name* of it? It seems to us impossible to put any other construction on the matter; and yet any such admission is to be fatal to the course pursued. Once let it be perceived and acknowledged, that all authority, in fact as well as name, can *not* be exercised by one man, and it becomes, obviously, a step in the direction of good government, to arrange the administration in accordance with this ascertained fact. On the other hand, to close the eyes to such a fact; deliberately so to *alter* the administration as to leave the name of authority and its responsibility with one man, while the immediate direction and control lies with another, is as obviously a step backwards from good Government. The thing was a sham. It was said that the 'oriental system,' which really did give all power immediately into the hands of one central officer, was essential for India and must be adopted. Instead of this a system was given falsely called 'oriental,' which divided more than one important species of authority from the general centre; but this was not the oriental system, in fact; nor could it produce the same effects as that system, whether those effects were desirable or not.

While the best arguments for uniting the offices were thus practically refuted by the supporters of the scheme themselves, another argument, on which the greatest stress has been laid, broke down of itself. We mean the argument of experience. 'We 'find it in high favour,' says Mr. Halliday, 'in the North-West, 'Madras, Bombay, &c. &c.' The minor names we may most safely disregard. The North-West we must give up as showing so far in favour of Mr. Halliday's views as that the then ruler of those provinces was decidedly in favour of the union. Nevertheless two previous lieutenant-governors of no less weight and authority than Mr. Robertson and Sir George Clerk most strongly reprehended and condemned it.

But how did the case stand in Madras and Bombay? In Madras for a long time Government on the oriental system has been carried on with the deceitful smoothness which is its worst characteristic, but at last a crash came. Of the stupendous

Digitized by Google

nature of that crash few can be ignorant. Then came the report of the torture commission, revealing the fact that it was the oriental system that had brought about this fearful state of things. The Home Government, the Government of India, the Government of Madras, united with all the world in abhorrence of the native system in native hands, and from that day to this (we hope and believe for ever) no native has been suffered to unite in his own person any fiscal and police functions.

The Madras Government went further. It expressed an earnest desire to separate the magistracy from the collectorship, for to this union was attributed if not the actual existence of the appalling crimes brought to light, at least the fact that they had so long been carried on *without* their being brought to light. Owing, however, to many peculiarities special to Madras (which had not prevented it from being held up by Mr. Halliday as an example for Bengal to follow) this was found a matter of great difficulty, but a compromise was effected. The two offices remained united, but the immediate direction of the police was taken away from the collector-magistrate and was handed over to a separate officer as his sole duty; in fact, a species of administration obtained which did not differ materially from that now existing in Bengal.

About the same time the very same step was taken in Bombay at the recommendation of its Government, and was worked there with high approval. Thus, if Madras and Bombay were to be held up as patterns to Bengal, they were examples telling against Mr. Halliday instead of for him. One more change has to be mentioned, and then this retrospect is ended. That change introduced the system now in force, and it is not therefore necessary to take up time in reciting the details of the system.

The nature and principle of the change is very admirably put by Mr. Ricketts in his report on civil salaries. After reviewing the controversy which we have attempted to sketch, he expressed an unqualified opinion against uniting either police and fiscal, or police and judicial functions, but he argued that no objection had ever been urged against uniting fiscal and judicial functions, while on the contrary it had been admitted to be quite unobjectionable. Such an union, therefore, he recommended, and suggested that in the matter of police, Bengal should follow the lead of Bombay and Madras, and such a system he thought would meet every objection from any side. His words are:—'It appears to me that all the objections in 'this theory, and all the difficulties in practice, are met by

Digitized by Google

'joining magistracies with collectorships, and by the appoint-
'ment of a superintendent of police in each district, relieving
'the magistrate of police duties. Some object to fiscal and
'police duties being in the hands of the same person;—the
'objection will be remedied; some object to "thief-catchers
'"being thief-triers"—the objection will be remedied; all think
'that the native police requires more immediate superintendence
'than is possible by an officer who has to try offenders—remedy
'will be provided; all think that there is an enormous waste of
'time and money in having persons tried by the magistrate
'who must be again tried by the sessions judge, the sudder
'court;—remedy may be provided.' Lastly, in the year 1860, Lord Canning formed the second police committee on whose recommendation the existing form of administration was brought out.

We have now brought down our retrospective sketch from the commencement of our rule to the present time, and we feel that some apology is due for its length. It may be deemed that our interest in the history of past administrative systems lies merely in curiosity, whilst we are actually concerned only in the consideration of the present. It is indeed our desire to treat in this article practically of the present, and not to enter upon any purely historical discussion of the past. To fulfil our object we shall be obliged to discuss the existing system with regard both to its theory and principles, as well as to its practice, could the latter be properly considered apart from the former.

We have, therefore, found it necessary to give a *précis* of those changes and controversies which have gradually led up to the present system, and which must influence any that may hereafter replace it. We feel here the more concerned in what ought to be the *principle* of administration, inasmuch as, with such servants as the Indian Government have to work with, it is certain that if these principles are right, the practical result will be good. Such a matter as this can never be properly discussed if we ignore that great controversy between the merits of the Eastern and Western systems for India on which so many of the greatest Indian statesmen have differed.

In our sketch of that controversy we have done our best with all sincerity to represent the different views as fairly and strongly as possible, to leave out no argument (saving only the argument of expense, which of course does not affect principles) that have been urged on either side, and to this end we have endeavoured as often as possible to give the views of the different controversialists in the words in which they themselves clothed them.

Digitized by Google

We have endeavoured to be especially careful to do this when giving the Eastern side of the question, for it is with that side that we disagree.

By far the most thorough supporter of the oriental system is Mr. Halliday. What he desired was the whole system, and nothing but the system. All others on his side have given up some part or other of it as bad, and have desired to introduce important modifications, and though at the present day the majority of those who think upon the subject have decided that the principles he upheld are wrong, and that in practice they are mischievous (in which judgment we concur), we think that Mr. Halliday alone is entitled to the praise of consistency, and that if the oriental system is fit to be adopted at all, his is the best and only proper form of it. For in our opinion the epithet of 'thorough' is fitly applicable to and descriptive of this system above all others.

The Eastern system was that by which all authority in *every* department of Government was thoroughly and fully delegated from the centre of one circle to the centre of the next immediately under it; the Western system is that in which *each* department of Government in each circle has its own centre, and is delegated separately but completely to one authority in each circle.

Any system which lies between these two loses such advantages as may attach to either. Neither system allowed of divided authority in any single department. The Eastern system required one man to exercise full authority in *all*. The Western, full authority in *each*. Whenever a middle course between these is taken, it is obvious that at least in one department of Government authority must be divided between at least two men. In each and every department where this occurs, we do not hesitate to say (and we think most people will agree with us) that the department is incomparably weaker than when one man alone is its responsible head, and where that one man has such control and authority himself as to justify his responsibility.

There seems to us no choice between one system in its completeness or the other.

Now, most Englishmen having before them the principles and practice of all the best governed countries of the West would (we think) be naturally in favour of that principle of division of labour which gives each department of Government to be worked by a separate workman.

The success of this in Western countries is beyond all question; but Mr. Halliday and those on his side deny that the West is a

Digitized by Google

fit example for the East, and claim that the oriental system is alone applicable to and comprehended by the natives of India. We have found this assertion made many times, but for arguments in support of it we have looked in vain; *against* it arguments are to be found in the principles laid down by the theoretical and practical statesmen of both ancient and modern Europe, in the successful practice of the Governments of the West, and above all in the egregiously unsuccessful practices of the Governments of the East, where the oriental system was worked by its own inventors. We have said that we have found *no* arguments; but we must admit that there are some expressions of Mr. Halliday's (already quoted by us) which may have been intended for such, though we hesitate to assert that they were so meant.

'I am very sure,' says Mr. Halliday, 'that our mofussil 'administration will, *cæteris paribus*, be generally efficient, while 'it is certain to be also acceptable to the people, according to 'the degree in which it conforms to the simple or oriental, in 'preference to the complex or European model.' Perhaps this assertion is intended to convey the argument that the oriental model, because simple, is better than the European model, because complex. If so, we in the first place most unhesitatingly deny that in any sense of the word the European model is complex. Nor can we understand how such a term ever came to be applied to it; for surely that system which finds a separate workman for every separate and distinct species of labour is most direct, elementary, and essentially simple. As to the oriental system, it seems to us that Government is in effect carried on with that sort of simplicity which the juggler finds, who has with his one pair of hands to keep half a dozen balls playing in the air at the same time. In one way only do we agree with Mr. Halliday.

The oriental system is simple or complex, just as a bowl may be said to be concave or convex, it all depends entirely upon the point of view from which you look at it. The two rival systems always have regarded Government from diametrically opposite points of view. The European system regards it from the side of those who are governed. The oriental from the side of those who govern. Received in this latter way it is simple enough. This species of simplicity however is a most vital objection. Nothing is easier than to *tell* one man to do every thing, but the tools of Government by which it is carried on find that they have to perform the complex task of keeping some half a dozen departments in full play, while it is rare indeed if any of them have a skill which can be compared to that of the juggler with his balls. Any want of skill, however,

Digitized by Google

can in no way disturb the 'simplicity' which the rulers find, for when unfitness or corruption in one capacity is tried by the accused himself in another, it is obvious that the Government is not likely to hear of anything being wrong. Thus the Government is always left to enjoy the quietness and smoothness of its working till the inevitable crash comes sudden and unexpected as the day of doom. The smoothness and simplicity is not the result of successful Government, but the cloak of misrule and crime. It marks only the ignorance of the Government as to the state of the nation, and it must not be supposed that this deceitful smoothness appears only when native governors are in power. It is the curse of the system, and inseparable from it. We felt its effects when the Madras Torture Commission revealed what atrocities could go on in secret, when energetic and honourable English gentlemen conducted and administered the system. To let alone the example of the Sonthal rebellion in Bengal Proper, we found in 1857, how ignorant even an English Government could be, when it first heard of the mutinous condition of the vast army of all Bengal from the guns of the mutineers themselves.

In what, therefore, lies the applicability of the system to India we cannot conceive. We know that when we took the country into our hands, we found that system in full operation. We found the hands of the Government weak, of its instruments strong, we found nothing but corruption and oppression in high places. The land was impoverished—it groaned under misrule and extortion—property and life were everywhere insecure, and no one end of good government was attained. In fact, it was the desolating failure of the oriental system which has ever been urged as an excuse for our assumption of supreme power, while our intention of teaching the natives a better method of governing themselves has always been the apology for that step. Where, in all this, is there the least ground for favourably regarding the Eastern system? What have we seen of its operation in India to justify a total disregard of all the successful practices of the West? Where is there any appearance of its 'adaptability' for the East or any other quarter of the globe? The fact is, the oriental system was simply a copy on a mischievously gigantic scale of the patriarchal system which prevailed in the primitive and nomad East; and it stands to that patriarchal system in much the same relation that Frankenstein's monster, powerful for evil, but not for good, bore to the human species of which he was an imitation. Among a small family or tribe

Digitized by Google

with whom was no organized system of crime, who were poor, and with no complicated relations of private property, every member of which was known by, and rendered filial obedience to, a revered chief of simple habits and virtues, the patriarchal system was as perfect as any human Government can hope to be. But what is it where all these conditions vanish, where the family or tribe gives place to a continent full of nations of divers tongues and characters, wherein organized and extensive crimes exist as a matter of course, where commerce and the increase of wealth give rise to complicated relations of property affected by complicated laws? All personal knowledge of the governed, and their filial obedience to their ruler have of course died out, and with these the life and soul of the patriarchal system is gone. There is no longer only one ruler required of simple habits and virtues (and even such a one 'happy 'accident' is in such a state of society of the utmost rarity), but scores, and there is not the remotest chance of finding even a majority of these scores of rulers, who are capable of discharging their very complicated duties, or able to resist the huge temptation to become oppressors and extortioners. Accordingly the oriental rulers cease to be magistrates governing for the benefit of a republic, but a series of tyrants governing for the benefit of themselves, and at the expense of their subjects. The whole history of the East will bear us out in these assertions. But if the oriental system,—*i. e.* the patriarchal system applied to a large complicated and civilized society,—proved inapplicable when tried by Easterns in the East, it surely must be allowed that it failed under the best and only circumstances which could have procured its success. How after this can Europeans hope to make it applicable? We are foreign conquerors of different colour, race, religion, language, feelings, character, prejudices, and habits of life to our native fellow subjects. We are notoriously ignorant of them, and they of us; we are incapable of becoming familiar with their daily life, and they with ours; and as a rule (with but few exceptions) we even cannot freely interchange verbal communication. How can we then hope to assume, towards the governed, that paternal attitude which the patriarchal and oriental system equally require, or how can we expect to receive from them that affectionate and filial obedience which is their animating principle?

We are far indeed from saying that the substitution of European for native rulers would not bring about vast improvement. The Government, though in no danger of becoming tyrannical, would be strong enough to extort respect and fear, while it would be administered by an honourable body of gentlemen

Digitized by Google

above all suspicion of being oppressors or corrupt. This would improve the practical working of the system, but it would not affect the radical vice of its principle or the evils resulting therefrom. The principle we complain of is the applying to a large wealthy and civilized empire the form of Government which was adapted only to a small, poor, and primitive tribe. We complain that as it is an excessively rare thing to find even *one* man capable of administering all the complicated laws which arise in complicated societies, it is a bad principle to act as if it were on the contrary an ordinary and easy matter, and to delegate these powers to a large number of men,—each with full jurisdiction in a large area—seeing that a vast proportion of them must be incapable of efficiently administering *all* departments entrusted to them. We complain that, while this is a general cause of weakness, there exists another special cause. The Government is placed in the position of a house divided against itself. It is true that, as we have said, all departments are centred without division in one officer, but when that one officer has to exercise in himself functions that are not only incongruous but antagonistic, when, for instance, as collector of revenue, he has to assert strenuously every claim for revenue that he may conceive, and as civil judge to decide whether his own claim is good in law, or when as police officer he has to exert every means, and all his ingenuity to obtain evidence against criminals, and then as criminal judge to decide whether his own work as policeman has been sufficiently well executed; then we say that these departments are *detrimentally* opposed instead of being healthfully united. One must yield to the other detrimentally, for the decision will not lie with an impartial judge, but with one personally interested, who with a natural partiality will uphold in his latter capacity the acts, whether right or wrong, done by himself in his other office, or who with a (in *his* circumstances) natural overscrupulousness will deny in his latter capacity the sufficiency of the acts (also whether right or wrong) done by himself under a different designation. We object that, while one officer thus decides, however honestly, his own measures, it is very difficult for him or his Government to become aware of the existence of the effects of his own very possible errors or misrule (witness the Madras Torture matter,) and lastly we object, that the consequence of applying paternal Government, where filial relations do not exist between rulers and ruled, but where antagonistic relations do, is, that the fullest facility is afforded to the governed for conducting in secrecy and security all sorts of organized crime, up to rebellion, against the State, and to this we cite the Bengal mutiny as the chief example

Digitized by Google

amongst a multitude. These evils which we have urged exist independently of the honesty of the Government or its administrative instruments, and seem to us to be entirely inseparable from the system under the best possible circumstances.

Thus far we have spoken of the special adaptability of the oriental system to India. Mr Halliday and those on his side also claim that our mofussil administration will be acceptable to the people according to the degree in which it conforms to that system. 'The Asiatic,' he says, 'is confused and aggrieved by 'the fact that each tribunal can only redress one sort of injury—' &c. &c. as we have before quoted. We must confess our complete astonishment at this statement. We deny both his facts and his conclusion. Wherein lies the confusion that Mr. Halliday talks of we cannot perceive. Is it really true that the subtle-brained Asiatic is incapable of comprehending those broad distinctions which separate questions touching rent or revenue from those touching the rights of property, or from those affecting crime? Will the experience of Mr. Halliday, or of any other Indian official, justify him in saying that the native of India, who disputes the collector's claim to revenue, would *like* to go to the collector-judge for remedy; that the man who has been speciously plundered by the collector's subordinates would *like* to apply to the collector-magistrate for redress, or that he would not rather carry his complaint against the police to the policeman magistrate? The history of our administration teems with examples to the contrary. The instances are many and frequent of great wrong being silently endured, because the sufferer deemed it useless to apply for remedy to the departmental chief of the wrong doer who may even have acted under the orders of that chief. It teems also with examples of long sudden wrong being brought to light as soon as ever a distinct department undertakes to adjudicate them.* It is an admitted fact that, where all omlah in every department are subordinated to one man, they become for all purposes an united band; each body doing its powerful utmost to prevent the misdeeds of the other from coming to the ears of their common chief. This has been urged over and over again as a bitter grievance by natives and by Europeans

* The Madras Torture cases—a history most full of warning lessons to the Indian statesman—affords a striking illustration of their remark. The poor wretches who year after year had suffered abominable wrongs in silence, whilst they could only apply for protection to a magistrate who was also collector of revenue, came in crowds to show forth their grievances to a commission especially deputed for the purpose, and which was totally unconnected with that revenue department which had brought about their sufferings.

Digitized by Google

coming under the operations of our laws. The lesson we should have learnt from our experience is different indeed from Mr. Halliday's assertion. We *ought to* have learnt that what the natives of India really cannot comprehend is, that one officer, at the head of a department, will condemn his own acts or the working of his department, but that they can comprehend the utility of laying their wrongs before any functionary, who has the distinct and separate duty of hearing them. But let us allow, merely for the sake of argument, that the Asiatic is so obtuse-minded that he really cannot comprehend the most obvious distinctions between the most diverse things,—that he prefers to apply for redress to that very officer or department from which he has suffered wrong, and that rather than lose this luxury, he will take it with all the dangers and disadvantages of meeting the opposition of the banded omlah of all the departments, still we assert that the fact of such a state of things being acceptable to him is no argument in favour of letting him have it if we can provide him a better. If the thing is bad for him, it is bad for us, and it is bad of us to give it to him. Arguments should be addressed not to what the native may foolishly and in ignorance like best, but to what is really best for him. If it is better for him to take his case before a disinterested and impartial judge, whose special occupation it is to adjudicate cases of that particular nature, the acceptability will follow as a matter of course. For it must be beyond question, that whatever system the native finds to be best for him, will be the most acceptable to him also.

While Mr. Halliday stands alone (we believe) in upholding the oriental system in its entirety as being *theoretically* the best possible for India, not even he has asserted that it can be *practised* in that entirety. Mr. Halliday regrets that it is impossible in accordance with his theory to make the zillah judge (the senior civilian of the zillah) the centre of all power therein, but he admits that to do so would put more work into his hands than he could accomplish. What he wishes is that, if we cannot get the full system, we should at least make our practice approach as nearly as possible to this (so called) most perfect theory of Government. To this end he could give the next senior civilian all the power not absorbed by the zillah judge, and thus make him chief of the police and executive, the collector of revenue, and a criminal judge with powers to imprison up to three years at least, though Mr. Halliday wishes it to be increased to seven years.

Now this very system had been already introduced in 1838, it was given a trial of seven years, and was after that trial

Digitized by Google

universally declared to be a failure and an evil. When it was again tried in 1860, this verdict was so far concurred in that it was considered advisable to leave the magistrate with only a general control and supervision of the police, while the immediate direction and management was made over to the joint magistrate. Thus our imitation of the oriental system was very far off indeed from the original. The important branch of civil judicature was totally severed from the main trunk, while it was considered unwise and not safe to leave the police entirely with one man who had other important duties to perform. When exceptions of such very great importance were made, was it fair to call the system of 1860 by the name of the oriental system at all? The two departments of civil justice and police are those which immediately affect the residents of all classes in the mofussil. If they really want centralization at all, it is in these departments that they want it; but we did not give it. On the contrary, by a system which was centralizing only in name, we actually introduced a further de-centralization, by dividing authority in the department of police, which had previously been controlled from one centre. Was it right then to argue, for a system so materially differing, that it would have those advantages and results claimed for the oriental system? The British Government was undoubtedly an improvement upon that which preceded it, but it did *not* work on the same system:—and we cannot but think that the improvement is due, (allowance being of course largely made for the energy and honesty of the new administrators), to the *departure* made from the old system in favour of that of the West.

Mr. Grey, writing in 1856, says that, owing to the small supply of men sent out from home, the then magistrates were men of but few years' standing and of comparatively small experience; and he exhibits a table which compares the standing of the magistrates of 1850 with those of 1856, whereby it was shown that the average period of service in the latter year, was only six years and ten months, while one magistrate had been under three years in harness. It is admitted, fully, that this want of experience was really felt, but it was also undoubtedly merely a temporary want, the cause of which had been removed by a large supply of new men to the service from home. For Mr. Halliday to have argued the necessity of a permanent rule from a temporary and exceptional state of things was not fair or logical. If the tools with which a Government has to work are insufficient in number and quality, no power of juggling can make them at once sufficient. All that can be done is to make the best of a bad matter. Mr. Hal-

Digitized by Google

liday and those with him considered that the way to effect this was, not to distribute those offices requiring most experience to the officers of most experience, and the rest to those of less, but to accumulate as many offices of all sorts in the hands of the most experienced man only. This seems obviously to be wasting a portion even of the admittedly small force at command, but let us see what was the actual result. We have made out such a list as that of Mr. Grey for the year 1861, and from this we ascertain that the then twenty-five junior magistrates had an average standing of only six years and some eight months.*

* We have included only the twenty-five *junior* magistrates in order that the state of thing in 1861 may be more fairly compared with state of things in 1856, as shown by Mr. Grey. Mr. Grey only admitted into his calculation the twenty-five districts in which the magistracy was held separately from the collectorship, and which were held by magistrates of the same grade and rank as our present joint magistrates of the higher grade. These magistrates were therefore junior to the collector-magistrates of the remaining ten districts, who corresponded in rank and grade to the collector-magistrates of our own day. There is no reason to suppose these ten men were of less experience than these remaining ten of 1861, and the probability is that they were much on a par. We subjoin the two statements:—

Twenty-five junior magistrates' length of service in 1856.

	Years.	Months.
Behar	5	6
Beerbhoom	2	9
Shahabad	11	0
Tirhoot	7	11
Mymensing	7	5
Jessore	6	3
Dacca	5	3
Sarun	6	3
Patna	5	6
Dinagepore	6	10
Monghyr	4	7
Hooghly	6	0
Midnapore	8	6
Rajshahye	6	4
Howrah	6	7
Purneah	9	7
Tipperah	9	6
Burdwan	5	6
Chittagong	6	10
Nuddea	8	6
Backergunge	7	5
Moorshedabad	5	1
Sylhet	7	7
Bhaugulpore	10	3
Rungpore	5	0
25)	171	11
	6	10

Twenty-five junior magistrates' length of service in 1861.

	Years.	Months.
Pubna	4	1
Bancoorah	4	10
Mymensing	4	10
Pooree	4	11
Rungpore	4	11
Chumparun	5	0
Balasore	5	0
Purreedpore	5	3
Midnapore	5	8
Shahabad	5	8
Dacca	6	0
Howrah	6	0
Backergunge	6	10
Jessore	6	10
Chittagong	7	0
Bhagulpore	7	9
Hooghly	8	0
Moorshedabad	8	0
Tipperah	8	3
Dinagepore	8	7
Nuddea	8	8
Rajshahye	8	8
Cuttack	8	9
Burdwan	8	10
Tirhoot	9	1
25)	167	5
	6	8

Digitized by Google

These men therefore, while as inexperienced as those of 1856, and as unfit to hold the office of magistrate *alone*, were not only entrusted with that office, but were made collectors in addition; the collector's office being one which Mr. Halliday admits to be neither particulatly light nor easy, and which he actually declared that the magistrate of 1856 were too inexperienced to hold alone? Surely it is undeniable that if these men were unfit for either of these offices, they were much more unfit for both, and that things would have gone better if each had performed separately the work of one man. It seems to us that the practical result of Mr. Halliday's scheme shows that as long as the service continues liable to be occasionally filled by men of short experience, it is most dangerous to make use of a system which may accumulate offices in the hands of one man who has not proper experience in any one of them.

If on the other hand offices are distributed singly according to their requirements among the more or less experienced officers at hand, then we can be certain that the best that is *possible* has been done in each department with whatever agency Government may have at its disposal.

We now turn our attention to the present system. Upholding as we do the principles enunciated by Mr. Grant, we propose to note them down briefly, and see how far the present system agrees with them. They were these:—

Firstly.—That any union of revenue and civil judicial functions is injurious and incompatible, because in the course of collecting revenue, it is obvious that the collector's demands may be often legally disputed, and such disputes have necessarily to be decided in the civil courts. No righteous Government, desiring only its first dues, and anxious that its subjects should find full justice even against itself, could allow the collector to be in a position to adjudicate on his own demand.

Secondly.—That the union of revenue and police functions is injurious, and incompatible at least as far as the natives of India are concerned, and that no advantage *in Bengal at least* is obtained for the police by uniting them in the person of the collector.

Thirdly.—That the union of the police with criminal judicial functions is injurious and incompatible, inasmuch as the thief-catcher cannot be supposed to be an impartial thief-trier.

Fourthly.—That the union of civil and criminal judicial functions is not only unobjectionable but advantageous.

Fifthly.—That the union of revenue with criminal judicial functions is neither injurious nor incompatible.

All these principles seem to have actuated those who

Digitized by Google

developed our present system, and we believe that they now meet with the concurrence of the great majority of people who interest themselves in such matters. There may, however, be very many people who will dissent from the second article. As regards the first part thereof the question is settled, and with the most universal approval. Government has been prohibited from uniting police and revenue functions in the person of natives ever since the Madras Torture reports; but as regards the second part of it, it may be held that the collector in Bengal *can*, by the influence of his position, materially influence the police. On this point we have already said our say. It is not worth arguing about here, for, as the object of the new arrangement was to dissever the policeman from the magistrate as minor criminal judge, it is obvious that they were also obliged to separate him from the collector, as the magistrate and collector were one and the same person. Whether the second article we have enumerated was concurred in or not, it was certainly acted up to.

We cannot but express our sense of the strong benefits that have resulted from the introduction of the new system based on these principles, in the department of criminal justice. We think it incomparably the best of any that has been tried. We most gratefully concede that, under the new system, the police, swayed by an active officer who has nothing to do but to hunt up evidence of crime, has improved greatly in both the suppression and detection thereof, and also that, owing to the trial of offenders being conducted by officers who have nothing (even insensibly) to prejudice them, fewer innocent persons are condemned. But, while we thus admit these great benefits, we cannot but think that there is very great room for improvement, and that there are great faults both in the system and its practice, which are not only easy of remedy, but which, when remedied, will make a great improvement in the financial view of the police question.

Our objections to the theory of the system are:—1*st*, that the avowed principle of separating the police and criminal judicial functions have been by no means fully acted up to; 2*ndly*, that a great administrative blunder has been committed in dividing the police from the rest of the executive; and 3*rdly*, that a great political blunder has been committed in taking the police out of the hands of the civil service. No one, we think, who has read Lord Canning's minute of instructions to the late police committee, their reply to him, and the debate in council on the new police law, will doubt for a moment as to the existence of our two first objections.

Digitized by Google

The third principle for the guidance of the police committee laid down by Lord Canning was that 'the functions of a 'police are either protective and repressive or detective; to pre-'vent crime and disorder, or to find out criminals and disturbers 'of the peace; these functions are in no respect judicial.'

No. 4, his very next one, is that 'the organization of 'the police must be centralized in the hands of the executive 'administration.' In these two principles we, ourselves, and we believe every one, most fully concur. Lord Canning proceeds to state that the great problem of police arrangement is now to reconcile this rule (No. 4.) with the preceding one, *viz.*, that the police shall be distinct from the judicial agency; because 'in all parts of India, especially in what are called the non-'regulation provinces, the executive and judicial functions 'are united in the same hands in all public officers from the 'lowest to a very high, often to the highest grade.' All we can say is that, if all these conditions are to continue, what Lord Canning calls a great problem, is simply a great impossibility. Given, that police and judicial functions are never to be united, that executive and judicial functions are always to be united; required to subordinate the police to that executive, and yet keep it distinct from the judicial department with which it is to be intimately mixed: what problem could be more impossible of solution? The difficulty has been very felt, but, *of course*, nowhere solved; it is in fact an obvious impossibility. Yet this is just exactly what Lord Canning required the police committee to do, and they were to specify to what officer of the executive the police were to be subordinated, and this officer, *though deprived of the management of the police*, was to be responsible for the peace of the district. The committee, acting up to these instructions as well as they could, made the district magistrate the centre of organization, and declared that the district superintendent should be bound to obey his orders in all 'matters relating to the 'prevention and detection of crime, the preservation of 'the peace and other executive police duties, and responsible 'to him likewise for the efficiency with which the force per-'forms its duty.' They admitted that it was impossible to 'avoid making in favour of the district magistrate an 'exception to what they very properly call the "golden rule" 'and the "true principle," that the judge and the detective 'officer should never be one and the same.' This was taken notice of in the debate in Council on the police bill, and was admitted by Sir Bartle Frere, who introduced the bill, as being a compromise falling short of the true principles

Digitized by Google

of administration, and he laid the blame of there not being a total severance between police and judicial functions on the executive Governments, and hoped that in course of time the complete separation would be accomplished.

Why this difficulty, this necessity for an insufficient compromise was even allowed to exist, we are utterly unable to understand. Strike out the second of Lord Canning's restrictions, separate the executive and judicial departments instead of invariably joining them, and then all confusion, all incompatability, ceases directly. We would go further and make it a rule never to separate the police from the executive. Such a separation seems to us to be sub-dividing, and therefore weakening one single department, and not to be distinguishing between two different ones; for, if the police is not executive, what is it? If it is not the main trunk itself of the criminal executive, it is at least its main branch, and is the only means and instrument by which the criminal executive can be carried on.

We have searched in vain for any explanation or statement of the grounds which made it 'impossible' to separate the judicial from the executive functions. After much thinking we can only arrive at two possible reasons. The first of these is, that in some provinces and especially in Madras, the difficulty of separating the offices of magistrate and collector was really very great indeed, and for immediate purposes impossible; if this were so, it seems to us to be an insuperable objection to the attempt to make a Police Act for all India. To that attempt we have always felt the very greatest objection. Hindostan is composed for all practical purposes of many extensive nations, differing in manners, feelings, national characteristics, degrees of civilization, wealth, and police requirements. In providing one uniform system for all these, it would be impossible that it should be the one best adapted to each and all, and it is quite probable that it might not be the best for any. The system provided may be such that, of all *uniform* ones, it shall approach *nearest* to the individual requirements of each people, but it is not any such mere approximation that can be sufficient.

This is not all for which a people are entitled to ask, and it is less than a Government is bound to give them. Anything, indeed, less than the system best adapted for each people falls short of a due discharge of the functions of Government. The system introduced was deficient, admittedly deficient in its very essential and guiding principle, with regard to a no less important province than Bengal—the largest, the richest,

Digitized by Google

the most civilized and generally advanced of all the divisions of India. We cannot describe any system which admittedly gives less than its just requirements to the most important and most advanced of all the provinces in India, as being anything better than simply culpable. Even the theoretic advantages of an uniform system of Indian police we find it very difficult to conceive, for not only are the people diverse, but they are under distinct and well-separated Governments. Of its practical disadvantages, however, there can be no doubt, if we find the framers and advocates of what we will allow to be the best possible *uniform* scheme, admitting its deficiency in a vital point as regards Bengal, and lamenting the impossibility of applying a remedy, because the remedied system would be inapplicable to Madras or any other province. We cannot conceive how the conclusion is to be evaded, that if the admittedly best system for Bengal is for any reason impracticable in Madras or not best for Madras, the only righteous course for a Government to adopt is to abandon uniformity at once, and give each a system of its own. To govern by expedients and compromises is just to govern weakly and badly.

The only other argument we can think of is that the majority of the local Governments were averse to a total separation of judicial and executive functions, and the supreme Government, without agreeing with them, (the proposer of the bill, Sir Bartle Frere certainly did not*), felt that they could not legislate against the opinion of a majority of so high an order. This argument is only the former one materially reduced in force. The case as regards uniformity of system is just the same, while the ground for holding on to it in the case of Bengal is smaller. The executive Government in Bengal was *not* in the majority, for at the time when this police bill was under discussion, Sir J. P. Grant was in office as Lieutenant-Governor, and was a most earnest and strenuous advocate for a complete separation of judicial functions on the one hand, from police and executive on the other. The compromise that has been effected is simply this. The police committee say, 'we

* 'The Hon'ble Member for Bengal had called this bill a half-and-half 'measure. He, (Sir Bartle Frere,) could assure the Hon'ble gentleman that 'nobody was more inclined that it should be a whole measure than he (Sir 'B. Frere) was, and he should be very glad if his Hon'ble friend would only 'induce the executive Governments to give it their support, so as to 'effect a still more complete severance of the police and judicial functions 'than this bill contemplated.' (Speech of Sir Bartle Frere on the Police Act made in the Legislative Council, October 6th, 1860.)

Digitized by Google

'confine the union of judicial and police functions solely to the 'district magistrate, we admit this to be an evil, but by so con- 'fining it, only a very small amount of injury indeed will be 'done.' Let us grant this: still we ask, what right has Government to retain a system, at least in Bengal, which confessedly will do a small amount of injury when a very simple change, for which too the Government of Bengal was anxious, would make even the smallest harm of that nature impossible? We can conceive no answer that will satisfy this question.

Again, we object to the union of police and revenue functions in the person of the magistrate, not only on the ground of principle, about which we have said enough, but on the practical ground that the collector-magistrate does not and cannot do full justice to both his functions, and that the most important of the two, the magistracy, is the one which is sacrificed to the other. We will abide by the decision of any one having had experience in the mofussil, as to whether it is not the fact that the collector-magistrate passes at least three-fourths of his official time as collector only. That this is the fact, we feel that there can be no doubt, and the reasons seem to be sufficiently obvious. The collector's duties are no doubt of a very routine nature, and comparatively simple, but they are at the same time multifarious, and there is always this difference between the collector and the magistrate, that the former has no joint and no assistants having powers equal to his own; a very large proportion of his work has to be done by himself and by himself alone. The work which chiefly occupies the time of a magistrate is the judicial hearing of cases. In this he is able to use a most proper economy by distributing the cases among his subordinates, and in all other matters (appeals only excepted) the joint magistrate can and does, in a great measure, take his place. But it is not so with the collector. The work which chiefly occupies *his* time can be performed only by his hands, and it must be recollected that it is in his work that the Government are chiefly interested, and to which those on whom his promotion depends chiefly look. We do not hesitate to say that that man's professional prospects are very small indeed, who, for the sake of his magisterial duties, in which the people at large are most interested, throws over his collectorate duties in which the Government are most interested. On the other hand we believe that the magistrate may leave the active work of his functions to his subordinates, merely seeing that it is done up to *time*, and yet by his assiduity and skill in the collector's office acquire a reputation of a first class order. The collector-magistrate relies for his character on the commissioner of revenue and

Digitized by Google

the Board of Revenue; for, with the staff generally at his disposal, his character as a magistrate is so easily acquired, and it is besides of such less direct interest to the Government, that it is quite secondary. However much this may be to be regretted, it is natural and to be expected, but it seems to us to be one of the most powerful arguments against any union of the two offices. Previously to the union of the offices, in 1860, the collector, though much less worked than the magistrate, had his time very fairly occupied. Since then the duties of a collector have very much increased, and require very much more of his time. Is it not monstrous, that to this already laborious occupation, there should be superadded all the duties of the district magistrate, seeing that they are, and are by the most opposed parties allowed to be, of the very first importance, and that the fact of their being so superadded will surely displace them into a secondary position? It seems to us that Mr. Halliday's remedy did only, and could only, aggravate the evil it was designed to remedy, and that by leaving the magistracy, (which has always full work for one man,) to be discharged at spare times as it best might, by a man having other work which called for most of his time, the magistracy was obviously degraded instead of being advanced in position, and its last condition is worse than its first.

The unsatisfactory manner in which the police was worked by a magistrate, thus pressed for time, is now a matter of history. The joint magistrate heard the police reports, received petitions regarding offences, distributed the greater portion of the criminal work among the subordinates, and was occupied almost entirely in hearing criminal trials, which the magistrate very seldom took up. In fact, he was much more magistrate than the magistrate himself, but without his weight, position, or responsibility, while the actual magistrate was deprived of all that great influence which attaches to the working man of a department. This state of things was surely most mischievous and deplorable. It was incomparably worse than that state of things which preceded it, in which every man had his own work assigned to him, and was obliged to look to it himself; in which his responsibility was undivided, and his power therefore unweakened; and in which the praise or blame ensuing were of his own deserving. But still there remained one stronghold with the magistrate, possessing which he could never be other than the most important man of his district. The police was entirely under his control and management; and from the nature of his work it was absolutely essential that he should become acquainted with the characters

Digitized by Google

and capacities of the individuals composing the force. It lay with him to dispose them in their various grades throughout his district; and they worked with the knowledge that they had to look to the magistrate and to the magistrate alone, for praise and promotion. The magistrate thus possessed a powerful instrument for the preservation of peace and order in his jurisdiction; and a real power which could not but sustain the dignity and effectiveness of his important office. But now, since the new police has been introduced, this one remaining but all-important source of power has been withdrawn from him; and withdrawn in, as we believe, as bad a manner as possible. The new police has taken away the back-bone of the magistracy. It has left it a mere 'caput mortuum,' *and it has not provided any substitute whatever.* That large and concentrated power, which only some six years ago was wielded by the Bengal magistrates, and by which alone can their large districts ever be properly controlled and watched, has been so divided and dispersed as to have disappeared altogether: it is amongst the things which have been improved off the face of the earth. The magistrate's authority has sunk down to the vague phrase of 'general control.' That personal knowledge of the police, without which the 'general con-'trol' is a mere word, and which he can now possibly acquire only by coming frequently into contact with police officers in the course of criminal trials, has departed from the magistrate, and settled with the joint magistrate, who however has no 'general control' or anything else whereby such knowledge may be utilized. The district superintendent is strictly confined to the 'internal management' of his police, and he is carefully snubbed and repressed if he ventures a step beyond, in order that he may not acquire that influence which the magistrate *ought* to have, but which it is most difficult to separate from the officer who directly controls the police, and on whom their promotion depends. By these means power, knowledge, and influence are almost eliminated; the two former being placed where they can be made no use of, and the last dying out from being deprived of the two first which are its proper and only nourishment. After all, has not this most costly change worked, as regards one of the chief evils complained of in the old system, merely in a circle? We will maintain that, in nine cases out of ten, the joint magistrate knows the character and conduct of the police, and the criminal history of the district far better than the magistrate; that he, therefore, is far more capable than his superior of annually reporting on the police for the benefit of Government; and in short, that

Digitized by Google

he is generally in a much better position for doing the magistrate's work than the magistrate himself. Is not this just what was reprehended before,—saving only that there is an addition much more reprehensible still? There is not only the former objection that it is irrational and wrong to prefer the junior and less experienced of two officers for this position, but there is thrown in the absurdity, that, while the joint magistrate *may* not use the knowledge he has practically acquired, the magistrate *cannot*, because he has not got it.

The magistrate is supposed to be the chief executive officer of the district, and he is actually responsible to Government for the peace thereof. How can it be expected that he can justify this responsibility when he is entirely removed from all internal management of the police; from the means of ascertaining the characters and capacities of the officers of the force; and from making use of any such knowledge, (supposing him to have contrived to acquire it,) by debarring him from distributing them about his district, in accordance with the special qualifications of each? He *cannot* do it. The work will have to be done at second hand through the district superintendent. To demand so much from a magistrate, and then to take away the police from him, is like giving a man an empty gun and then requiring him to kill game. As long as no game is seen, appearances may be kept up:—and so, in fair weather, the present system may work without any actual break down, but the time when our objections will be appreciated is when some sudden emergency shall have arisen. At such a time, when it is most to be desired that matters should work smoothly, we can, obviously, no longer expect or obtain that promptitude, certainty, and 'aplomb,' which have been so frequently displayed by the magistrate in old days, when knowledge, power, and responsibility were all centred in one man. Under the present system every emergency will have to be met by at least two men, each so weakened and restrained as to be incapable of acting independently of the other. These men, differing as they well may, in temper, tact, capacity, and energy, may take very different views of the course proper to be adopted, and may, from such a cause, become, at best, but luke-warm supporters of each other; may even be driven to an open rupture. The worst of it is that the very nature of their duties, being antagonistic, seriously increases the probability of this last. The policeman zealously strives to convict the accused; he has strained every nerve to get convicting evidence; he believes the accused to be guilty; and he knows that an acquittal is scored to the disadvantage of the police. The magistrate on

Digitized by Google

the other hand jealously searches and sifts the evidence of the policeman prosecutor. He takes great care to obtain all the acquitting evidence possible, and to give it all its just weight, and he gives the accused every fair opportunity of escape. Both are right; their antagonism in this department is natural, even advantageous, but, most unfortunately, the feeling is too often carried even into such portions of their common duties as require that the utmost concord should prevail between them. We cannot help saying that we think that the fault of this lies generally with the police. When a magistrate acquits, the district superintendent is too often foolish enough to uphold his naturally partial view, against that of an impartial man who has three times less means of forming a correct judgment; and the acquittal is attributed to the magistrate's ignorance, or incompetency, or more frequently still, to his *jealousy of the police.* Assuredly, antagonism in the judicial courts is only likely to rupture that alliance which is so essential between the police and magistracy in the executive.

The late cyclone is the only thing in the shape of an emergency that has arisen since the introduction of the new system. The magistrates of those districts which were ravaged by the storm, were called upon unexpectedly, and at the shortest notice, to ascertain what part of their districts had suffered most, what supplies of food and materials were most needed and where; to re-open roads; to re-ferry the rivers; and to provide for the immediate removal of drowned men and cattle. All this was work of which every hour's delay involved human life; and, in addition, there was the future to be looked to. Those riotous and lawless acts, to which a distressed populace is so prone, had to be provided against beforehand; and the (in India always) long and difficult task had to be performed, of collecting for the use of the Government all the statistics and occurrences of the calamity. The work was well done; but we put it to any one to say how much sooner at least, if not how much better, it would have been done, if the chief executive officer had been armed with the only real executive weapon, the police. It is obvious that the magistrate, in whose hands the work was placed, would have found it much more easy to dispose of that work satisfactorily if he could have brought a self-contained executive machinery to bear on it, instead of having to drag about a district superintendent with him, in order that each of them might be enabled to supply the other's weak points and deficiencies of knowledge. This emergency was but partial; the work to be done was not the preventing a mischief, but the repairing one: but should the

Digitized by Google

day ever come when mofussil officers are called upon at as short a notice to avert a *threatened and general* disaster, then we believe that the Government will feel the loss of that undivided authority which for half a century has been so useful in the hands of the magistrate, but which now has been divided and lost. It must be remembered too that as yet we have the advantage of possessing magistrates who, having long had the sole conduct of the police, are well acquainted with its duties, and experienced in the work; and, though the same cannot be yet said of the district superintendents, still, as the responsible head is competent to accomplish the work, things are not very likely to come to a break-down. But how will it be when this state of things is exactly reversed? How will it be some few years hence, when new magistrates who know not police work, and have never had any experience in police, are placed in a responsible, if nominal, superiority over district superintendents of ample practical experience. If any such absurd principal of subordination should then be really maintained, it is most certain that a crash must sooner or later come. The only means of avoiding the crash would be to let the district superintendent do the work for which the magistrate, as executive officer, is responsible. If such a state of things comes about, and we do not see how it is to be avoided, it will be a practical admission of what we believe to be a true principle, *viz.* that the police cannot be separated from the executive, or rather from the rest of the executive. Once let such a practical admission be made, and it will be impossible not to recognize and act formally upon the principle. It will become imperatively necessary for Government to decide whether the undivided executive and police shall be entrusted solely to the magistrate or the district superintendent. That the choice would be in favour of the magistrate, we think it impossible to doubt. By that time there will be a pretty matter of lost time to be placed to the account of the new experiment. We shall have begun by putting out of police employ magistrates acquainted with and practised in police work: their places will be supplied by unpractised men, who will have to learn the very rudiments of their duties. Then, when the new men have at last become old and experienced hands, and the magistrates have lost all police knowledge, the process of selling old lamps for new will be *again* gone through, and the country will have to wait for a good police, till the magistrates have re-learnt their work. After all it seems that it would have been best to put the police and executive at once into the experienced magistrate's hands as Mr. Grant advised, rather than run the risk (we believe it to

Digitized by Google

be the certainty) of having to do so at last, after a prolonged interval of policemen 'in statu pupulari,' whose services will have been procured at a vast expense of time and money.

It sounds an absolutely unaccountable thing, that a Government, which had at its command a number of servants bound and paid to do their work, and who were possessed of great knowledge and experience in police, should have deliberately declined to avail themselves of such a body, and have actually gone out of their way to engage at an enormous expense (at a time, too, of great financial difficulty,) a number of unprofessional men, without any knowledge or experience of the subject whatever, to conduct a department of such paramount importance as the police, and that too a time when the public, and the Government itself, were crying out that only men of the best experience should be employed on the business. It is as if a railway company were to neglect to employ the engine-drivers already in their pay, and to supply their places by hiring untaught men who would be compelled to learn their work, while actually driving their trains. It would be a marvellous providence if no crash ensued. Politically and financially the mistake Government made is obvious; and why was it made? Simply and solely, as far as can be ascertained, because the magistrates, in whose sphere the work naturally lay, unhappily had their time already fully taken up in their revenue duties, owing to that most deplorable doubling up of the two offices, of which we have already said so much. The result is not only that full justice cannot be done to the new system of police;—that it is even now an open question whether it is better than the old system;—but that at first matters actually fell behind what they had been even in former days. Nor can we possibly achieve the full benefits which would naturally attach to the system, till such time as the new employés shall have acquired that skill and experience, (a long business,) which was obtainable at once and without any delay at all from the magistrates. Had the magistrates existed separately from the collectors, the very same system which is now in force could have been carried out, with all the advantages which we have at present, and some other vast ones in addition. *Firstly*, there would have been no breach of the 'golden rule' and 'true principle' that thief-catchers should never be thief-triers. *Secondly*, we should have had the use at once of skilled workmen; and *thirdly*, the cost of introducing the system would have been literally not worth mentioning. Nothing would have been necessary but to take away from the magistrate the judicial powers he exercises.

We cannot avoid thinking that the new system has acted as

Digitized by Google

a serious political error in taking away the power of the police from what Mr. Halliday calls the actually and traditionally influential civil service. If the Government had purposely intended to degrade their chief tools, the civil servants, and to sink the collector-magistrate in the eyes of those subject to him, they could have chosen no better way than that of giving the police away from them to others. We assert it, as a fact far too generally known and admitted to need a word of argument, that in the mofussil he who has the police power is in the eyes of the natives the greatest man in the district, and assuredly is the man, who has most influence over them, and in whom they have the most interest. How often has it been remarked that one may go over the mofussil, and find no native able to tell the name of the commissioner, the judge, or the collector; while of the police magistrate they all not only know his name, but his character also, and know it accurately. If the Government retain the wish, (and there is every reason why they should do so,) to maintain that respect which the natives have always felt for that body of men from amongst whom their rulers must be taken of necessity; if they wish that the influence of the collector-magistrate should be supreme and searching, (and this is their argument and excuse for the union,) then they have defeated their object, and struck at the root of that influence, by taking away the very source and spring of it. In a country like India, where police arrangements as so peculiar and difficult to be understood, and where so much has yet to be done in the matter by the legislature, it seems a most grievous thing to have decided that no civil servant, that is, that no one from whom the ruling and legislative powers are to be selected, shall ever have anything to do with the management of the police. We have not as yet, by any manner of means, heard the last of police difficulties and police reform. We are as yet a long way off from having cured those long-complained-of evils, oppression, corruption, incapacity, and ignorance; and it is proper, nay essential, that those who will, in the future, have to combat these evils, should have a practical acquaintance with them and with their effects. The only thing in the old magistracy which it required long practical experience to acquire, (so much so that it was on all hands agreed, that the senior man should invariably hold the office,) was the care and conduct of the police. This being the case, it seems monstrous that, hereafter, when a man first assumes charge of a district as its head, he will never, up to that moment, have had a day's practical experience in police work. If the matter is of any importance at all to the country, (and it is perhaps of more importance than

Digitized by Google

any other single subject,) this loss of all practical knowledge to the service should be remedied at once. Nor does the evil stop here. We do not hesitate to say that the loss will be felt and seen in every judicial court in Bengal, whether magistrate's or judge's. Evidence in this country is of so unsatisfactory a nature, while the influence for good or bad, exercised by the police in every case they investigate, is so vast, that it is simply essential that those, who have to decide judicially in cases coming through the police, should have a practical knowledge of the way in which the police perform their work, in order that they may put a just value on the evidence so obtained, and appreciate the nature of the police action in any particular case. This practical knowledge can, however, only be acquired, by a long practical experience which is now denied them. It has often been cast as a reproach upon the civil service, that an Indian judge is raised to the bench, without having had any previous training or experience in the duties of a judge. The fact is otherwise. The whole career of the Indian civil servant is one long and continued training for judicial offices. As has been well observed by Mr. J. P. Grant, from the day on which he first takes up his duties, to the day on which retires on his annuity, he is employed in duties of a judicial nature, (whatever the office itself may be,) rising, of course, in degree as he gets on; but the most valuable training ground of all, and the one which was the most essential preparation for the office, was the now debarred one of the police. When the class of judges and magistrates who have had experience in the police have died out; when a new set shall have succeeded to the bench without any knowledge of the complicated and difficult working of the police; without that long experience which alone has taught the present race what value to lay on the police work in each particular case, we quite dread to think what the result will be. On one side there will be a prosecuting policeman, whose reputation as an officer depends on obtaining convictions, and who with a perverted 'esprit de 'corps' (as natural and to be expected as it is to be regretted) will not believe that his subordinates have worked falsely or unjustly; and on the other hand will be a judge without experience to tell him how common among the police falsehood and injustice are; and without any of that special knowledge which will enable him to scent out their traces in the case before him. Between a zealous district superintendent and an uninformed judge, the power of the mofussil policeman for evil will be increased ten-fold, and in the same ratio also will be increased the insecurity of the mofussil public.

Digitized by Google

Now let us for a moment turn our attention to the financial view of the question. There seem to us to be some very heavy items of expenditure in the new police which are utterly unnecessary, and a mere waste of money. The chief appointment of all, that of the inspector-general, seems to us to be one of these. This is fairly an appointment in considering which we may bring former experience to bear. The experiment has been already tried under circumstances far more favourable than now. In former days the office of superintendent of police was held by one of the aptest and most energetic officers of the whole service. In order to make the performance of his work even approximately possible, the labours of this officer were strictly confined to the regulation provinces solely, and even then it was found necessary further to contract this area by taking away the two divisions of Cuttack and Chittagong. Even then it was discovered that he had more work on his hands than he could get through, that while his control over the magistrates was little more nominal, he was unable even to get near to a great portion of his work, he could never visit any district more than once a year, and many not above once in three. Such having been the case then, what hope, what possibility is there that the present inspector-general can achieve his work?

If it was impossible to carry the inspection over a portion of the regulation provinces only, what is the use of requiring it for the whole lieutenant-governorship of Bengal, including not only Cuttack, Chittagong, and Darjeeling, but Chota Nagpore, Assam, Cachar, and Arracan also? The work extends over 1,000 miles in one direction, 800 in another, 600 in a third, and communication over a greater portion of this gigantic area is difficult. The bare area alone ought to have determined against the appointment, even if we had not had experience to tell us that no officer, however energetic, could undertake an area less than half its extent, and lying infinitely more compactly and accessibly. It is merely a matter of course that many districts have never yet been visited by an inspector-general.

The next appointments which strike us as indefensible are also those next in degree, *viz.* the appointments of deputy inspector-general. Why these were made, why their duties were not given over to the commissioners of divisions, we do not understand. We can conceive no real advantage to be gained by assigning their work away to a separate body of men; on the contrary, we think that it has some of the same disadvantages (especially that of dividing the criminal executive against itself,) which attend the separation of the executive officer from the district policeman; greatly enhanced, of course by the

Digitized by Google

superior importance of the position to which the separation has been extended. It has very much disarranged, and to some extend nullified, the divisional system, with which it is inconsistent. Under that system the country was divided into some eight (we speak only of the regulation provinces) large but manageable tracts, over each of which an officer of high rank and large experience was placed as local administrator of the Government in the executive department. Previously to the new system these officers were also superintendents of the police in their divisions; and, that the object of their appointment can be attained when so much of what ought to be in their hands is placed elsewhere, is what we do not believe possible. The police is assuredly the most important branch of the executive officer of a division; it is assuredly not the easiest, and it seems therefore to us to be not only a proper thing but an absolutely essential thing, that that officer should hold, immediately and entirely, a close general superintendence of the police, and that it is most detrimental, and adverse to the object of the office of commissioner, to allow any one to come between him and the police, and to divert any of his duties into a separate channel.

These two higher grades, those of inspector-general and deputy inspector-general, are not essential, not requisite for the police even in the system as it now stands. The first one is a simply impossible office. They are both at variance with that important system of administering the Government through divisions; and they both tend to divert the superintendence of police from the channel which is not only the most fit and natural, but the cheapest also. Were these two grades to be abolished to-morrow, and the superintendence to revert to the commissioners, there would be no breach whatever in the present system of police; it would go on exactly as it did before, neither better nor worse. This alone would justify us in calling their existence an unwarrantable and unjustifiable expenditure of Rupees 92,400 per annum, but, in addition to this saving, we should have the advantages of compatability with the rest of the scheme of administration, combined with a very much more experienced superintendence of the police.

On the subject of the district superintendents we have already spoken at length. We have admitted that, if the offices of magistrate and collector *must* be for ever united, then the system of separate police superintendents in each district is, bad as it is, the best perhaps that can be done. There seems however to be no such '*must*' as we have supposed, and the financial argument seems to us to join strongly with the others

Digitized by Google

we have used to show that there is in fact a 'must *not*.' Had magistrates existed separately from collectors; had every magistrate been deprived of his judicial powers, and, in addition to those executive duties that he now has, been made his own district superintendent; had every commissioner been given those powers exercised by the deputy inspector-general (which powers in a great measure he had before); and finally had there never been such an appointment at all as inspector-general, an appointment which had been tried and declared a failure in the person of the old commissioner of police; there would have been an annual saving in the Government of Bengal of three lakhs and three quarters every year. The whole of this large sum would have been available to wipe away one of the greatest curses and stains of the Government of Bengal; it would have sufficed to have supplied Bengal with a very large number of new officers to be employed as deputy magistrates, who might have been studded about the country at sub-divisions, and by this means have materially weakened if not entirely removed those evils arising from vast jurisdictions of which we now propose to speak.

Any notice of the criminal administrative system would be most imperfect which did not notice this very important point. We are however at this time more than ever anxious to speak fully upon it, because we have noticed that there are reports to the effect that the system of sub-divisions (the only cure for the evil) is growing into disfavour with very high authorities, and instead of being further developed, is in danger of being in a great measure abandoned; and also because the gentleman now at the head of the Bengal police has strongly recommended a large reduction in the body of assistant district superintendents, which is only another name for abolishing sub-divisions for all police purposes. We address ourselves with great earnestness to this portion of our subject. The mainspring of the machine of criminal justice consists, as we have before said, in the method employed for the prevention and detection of crime. The vastness of our jurisdictions seems to us to cause a weakness in this mainspring, which, though it does not quite arrest the machine, very sensibly diminishes its action and power. We cannot imagine that any one, now-a-days, seriously contends for this as an advantage, at all events in its present form. No doubt it was at one time a necessity, but there is also no doubt that it was at that time much less of an evil than it is now. After the country had suffered under the combined weakness, cruelty, corruption, and '*insouciance*' of the native Governments,

Digitized by Google

when the natives knew of justice only as a cruel weapon in the hands of the strong; we stepped forward to do all the good in our power. What men we had, we scattered (thinly indeed but of necessity so) over the country. These men were supported by a strong Government. They brought honesty and purity into their courts. Their ear was open to all complaints, their hand strove to redress all injury and to prevent all evil doers. They were forced to accept the evil of large jurisdictions, because they found them already in existence. We were strangers, newly ruling in a strange land, and it would not have been wise, even had it been practically possible, to have brought in for our new subjects that system of criminal rule which had grown up in our country, neither were those subjects in a fit condition for any technical and complicated form of government.

They had been long strangers to justice and right rule; with them the strong hand had been its own law; cunning and deceit had best retained property, fraud and force best acquired wealth and position. Among such a people any immediate adoption of a completely new system was as impossible an undesirable. Change to be useful required to be gradual. The new rulers and the new subjects had each to learn to understand the other. The subjects had to learn that there was as well the will as the power to govern righteously; and the rulers had slowly to build up a system at once adapted to a people so differently constituted from themselves, and effectually to protect their properties and persons. Till then it was but to be satisfied with a rough though broad justice, which was not only best adapted to the requirements of an almost barbarous people, just emerged from a state of anarchy, but which could be safely administered by few to many. It was necessary to deal with and establish the broad points of justice first, in order that so the ground might be laid for the narrower. This system has been consistently observed. After painful and long-sought experience we arrived at a regular system and code of laws adapted to the feelings, and previously existing institutions of the natives of Bengal; but as our territories increased, we did not at once apply this system in our new and less advanced dominions, but carrying there with us only the broad principles of justice, we left them as 'non-regulation provinces,' till such time as we should carefully and gradually erect a complete system, applicable to them.

How then these vast jurisdictions arose, it is easy to understand; what we find difficult to understand is the reason why they have remained so long, when all necessity for them, all

Digitized by Google

advantages which may ever have attached to them are gone. We believe that the fact is merely this: that while the old Mahomedan structure of Government was being pulled down piece-meal, and being simultaneously repaired with Western materials, it was absolutely necessary, in order to preserve strength in this shifting body, to retain as props some strong, leading, features of the original edifice. We found the country marked out into large jurisdictions, and we found that therein the revenue was collected, and justice administered, by one and the same officer. Our ignorance of any Indian Government previous to our own, the caution with which we had to grope our way in the dark, the smallness of our numbers, and the length of time required to thoroughly engraft more urgent reforms on to the old system, necessitated the retention of these principles for a very long time. Many of our newly imported reforms had to be framed to meet them. With them, (let us say in spite of them) we had achieved large undoubted successes, and by long use we had become habituated to them. This was amply sufficient to ensure them many and powerful supporters. Nothing else had ever been tried, and so, with that oriental conservatism, (from which but a small minority of the West is wholly free) every effort has been made to prevent any thing else from being tried. To make use of an argument of Mr. Grant's, it is on all hands admitted that these principles are entirely oriental, and not consonant with ordinary English ideas; it is admitted that the English are becoming every day more and more a numerous and important class in Bengal; and we know that to all our courts, to our civil law, our criminal law, and our police, we have imparted an English character;—and yet we still cling to these incongruous Mahomedan principles. Day by day they grow more and more incongruous; yet there they still are hanging about us, not indeed like the 'purpureus pannus' of Horace, but like rags patched on a royal robe! The system of uniting magisterial and police functions received a rude shake at the time of the Madras Torture report. It was nearly shaken to death; and, indeed, has preserved but a mitigated form of existence ever since. It has been extinguished and revived, and again extinguished and again revived, over and over again, but the large jurisdictions we have never been without. No such crash has as yet befallen that principle; we firmly believe, however, that unless a remedy is soon applied, it will not be long before there is a companion report to that on the Madras Torture cases.

There is no longer the excuse of necessity for large jurisdictions, nor does the palliation now exist that criminal justice is not

Digitized by Google

minute. We no longer deal in broad points only. We have provided for the summoning of witnesses and the recording of written judgment when a hungry beggar steals a handful of vegetables. Only the other day a judicial investigation was made into a charge brought by a bearer against his master for calling him pig. We live among, perhaps, the most litigious people on the globe, and any case they may choose to lay must be enquired into. In addition to a host of petty charges, thus brought forward, the courts are crowded with others of a nature, more or less, really serious. Why does Government, then, still oppose so great an obstacle in the way of justice, as a walk, in some instances of one hundred and twenty miles (there and back,) with all its annoyance and expense? What is the use of telling a man who has had his pocket picked of eight annas, that he may get redress by walking forty miles to a magistrate, and spending some rupees on the journey? Of course he will prefer to hold his peace on the matter, and will leave the thief unmolested to prey on society. Unfortunately it is not merely in cases of petty thieving that he will so act.

What argument can be urged in favour of these large jurisdictions we cannot conceive. Those against the system are so obvious, so like truisms, that we are almost ashamed to employ them. Our excuse lies in the fact that they are as much disregarded as though they were not obvious. One of the most insuperable objections is, that, owing to this, the magistrate is unable to obtain any effectual grasp of his district. The whole theory and intention of the office seems to be that the magistrate should fill a place not very much unlike that of a patriarchal ruler: indeed this has been urged as an argument for making him, at the same time, collector of revenue, that he may so become more intimately connected with his people and their affairs. To fulfil the theory of his position, it is essential that he should, in his private as well as in his public capacity, thoroughly know the people, and be thoroughly known by them: it is by this means only that he can obtain the personal influence with the zemindars, necessary to the enlisting of their enormous power on his side. Of this power it may be strictly said, that where it is not with us it is against us, and where it is against us, it is, to all intents and purposes, irresistible. It is essential that the magistrate's intercourse with the zemindars should be free and frequent. He should also understand all local habits and prejudices, and know the general circumstances of, at least, all the larger villages in his jurisdiction. He ought to be thoroughly acquainted with the geography of his

Digitized by Google

district, and be able to reach any part of it within a few hours. He should be able to converse freely with all classes of the people, who ought to have the fullest and easiest access to him. Now, unfortunately, unavoidable circumstances powerfully oppose the attainment of these objects. Englishmen in India are notoriously ill-acquainted with the interior life of the natives. Difference of language, and a total dissimilarity in modes of life, and in character, would always make intercourse and mutual understanding difficult, while the strong, religious, and other prejudices of the natives, increase this difficulty ten-fold. Travelling being difficult to even the natives, (and, of course, vastly more so to the European,) destroys all chance of easy access; and the exigencies of the service lead to constant changes of the district officers, each of whom has to renew the process of acquiring influence with the zemindars, and of learning the local features of the land. Is it not unaccountable that the Government should add to these natural difficulties, and artificially render them insuperable?

A magistrate is placed in the responsible charge of a district from two thousand to upwards of five thousand square miles in extent. In that same area he is also required to perform all the duties of a collector of the revenue, an office which, after a practical test of many years' duration, has been found to give full occupation when it is held alone. Owing chiefly to this additional office, the magistrate is compelled to pass at least three-fourths of his time at the sudder station. We will allow that so much as one-third of the district is immediately under sub-divisional officers, but the proportion is too large. We will allow that the sub-divisional officers are fully empowered magistrates, which is far from being the fact, and that they relieve the magistrate of all the judicial work of their divisions; still, the magistrate has to control and supervise the whole, and is left with the immediate charge of a good two-thirds, comprising in some instances as many as three thousand square miles. It seems absolutely monstrous that such a statement is possible to be made at the present day. No argument can show the thing in a stronger light than the simple statement of the end and the means; a mere glance at the figures shows the utter impossibility of obtaining an effectual hold of so much by so little. The mightiest magistrate when diluted with three thousand square miles must become weak indeed. In the most civilized countries,—where an active, skilful, and reliable police waits on the law; where telegraphs, railways, good roads, and easy communication all fight powerfully against the criminal; where the people aid the law to the best of their ability; where the criminal works with the

Digitized by Google

knowledge that every man's hand is against him, and that every one who knows a circumstance against him will eagerly disclose it, and will easily find full credence;—in a country, we say, having all these advantages, what fearful results would follow if it were supplied with magistrates on the Indian system! Think of such a county as Hampshire or Wiltshire with one magistrate responsible for the whole country living at its chief town with not a magistrate to be found elsewhere save in two, or perhaps, three other distant places! Such a notion is simply grotesque and ridiculous there. But in India we actually put it into practice! In India where there is already every sort of obstacle to justice! We live in a country far removed indeed from full civilization; where the police is unskilful, not active, and not trusted; where bad roads and difficult journeys present every facility for the escape of offenders; where the general public is perfectly indifferent to the perpetration of any crime, even murder; where the criminal knows that those against whom he has not personally offended will not be at the trouble to appear against him unless obliged, and those whom he has injured will, if they come forward at all, be very likely to lie and exaggerate, and be disbelieved; where, too, he can cheaply buy practised witnesses to any defence he may choose to make. If the notion of such magisterial arrangements for England is ridiculous, surely the putting them in practice for India is something very like madness. Surely, with such a people, it is essential that the magistrate and police should be brought into the closest possible contact.

We have said that the natives are apathetic on the subject of crime; we must admit that, under the present state of things, they have very large excuse for not bringing crime to notice. When a man has to walk fifty miles to a magistrate, to leave his home and fields whilst they require his attention, and to pay the expenses of his journey and of his law proceedings, it can be imagined that he must have endured no trifling injury before he will bring it into court; more especially as he has, in addition, to maintain his witnesses while he keeps them, and generally, to give them some compensation for what they lose by attending him.

A man must be revengeful, or be of some substance, before he thinks it worth while to prosecute for small injuries, which he is nevertheless fully entitled to have remedied; and it is sad to think that it is the poor, those who most need protection, who are thus chiefly hindered from obtaining justice. It is not only in small matters that this evil is done. How often do magistrates hear incidentally of village policemen, and village headmen enjoining the concealment of burglaries, of robberies,

Digitized by Google

of murder itself? How many serious offences have been first heard of through an anonymous petition, because the writer dare not let his fellow-villagers know that he is bringing the matter to light? And the reason for this is not obscure. If they give information, they bring the police on their village, and the policeman does with them just as he chooses. The *hakim* is so far off that the ignorant peasantry cannot trust his power to protect; the policeman is close at hand, the ryot well knows his power for evil. He also knows the difficulty of proving a case against a man of such influence and means. He therefore submits to the policeman, and the policeman shows him the tender mercies of the wicked. During his investigation the village supplies him with servants taken from their own pursuits, feeds him and his retinue, and pays the expenses of his journey. He hectors and bullies; enters houses at will: can, if he is so minded, (and its a marvel if he is not,) extort money; and on his departure takes off with him so many labourers from the village, to be sent to the magistrate as witnesses. Is it wonderful that the villagers should desire to escape all this by hushing up a burglary which concerns only some insignificant unit of thec ommunity; or even by concealing a murder, when they have no reason to fear the murderer, and can do no good to the dead man? When information *is* given, can we expect it to be otherwise than that many, who have important knowledge, will withhold it, when the consequence of imparting it is, that they will be compelled to take that long, painful, walk, to suffer great loss, (they may sometimes be obliged to leave their fields unreaped for a fortnight, at a time when this will cost them most of their crops,) and to undergo that judicial examination before the magistrate, of which many of them have a very great and genuine, if undefined dread? Then having done all this once for the magistrate's court, they may have to do it all over again for the judge's.

This brings us to another evil of these extended jurisdictions. It is, in our opinion, an insurmountable obstacle to the procuring of any really good and trustworthy police. We are constrained to believe that, till this is very much altered indeed, all the careful and expensive changes we have as yet made in the police, and all that we may hereafter make, just represents so much labour and so much money thrown away. We do not say that the new police laws have been entirely useless; on the contrary, they have, in two very important points, remedied two serious evils that previously existed. They have, in a great, if not a complete, measure, separated the functions of the police officer and the judicial magistrate,

Digitized by Google

and have given us a force so armed, and so disciplined, that no mere local rioter can stand before it. The inoffensive public can rely upon it as a body fully capable of dealing effectually with armed ruffians and popular outbreaks, while such as lie under criminal charges, are assured of being tried by a court which has had nothing to bias it against them. These, however, are benefits which were easily obtainable without the expensive alterations which have given us the present system. In every other single point, the new arrangement seems to have left us where we were. That there is more energy, more technical skill and knowledge, more activity, or more general security, is very doubtful. The statistics of criminal justice do not certainly show it. There seems no reason to hope that, with the new police, there will be less bribery, less extortion, less violence, or less of that 'zabar-dast' demeanour and conduct, which made the very name of the old police to stink in the nostrils of the people. We do not see on what grounds any difference, in these respects, can have been expected. There are the same thannahs at the same distance from authority; there is the same timid and ignorant populace, who, after have lived with abject minds under the old police tyrants, have a still more servile dread of their more imposing successors. Whilst the victims are thus ready to fall an easier prey, the restraint on the police has not been sufficiently increased by the change in its nature. The higher grades of police officers are still underpaid, though their position is better than it was; but the rank and file, (after being cut for their clothing, funds, &c,) are not appreciably better off than they were formerly; and in addition, it is greatly to be regretted that it is recruited so largely from the able-bodied *badmashes* of the district. Indeed, it is a terrible state of things! We see a man placed in a position whence he has a great command over the liberties and character of those subjected to him: who is not adequately paid: but who can get what he wants by discriminate oppression of the innocent, and screening of the guilty: at his feet is a cringing wretch who will, silently and uncomplainingly, deliver up his substance to him; while the restraining authority is so far off, as to be scarcely visible even to the eye of faith! Here we have, indeed, a 'temptation such that flesh and blood cannot withstand it?' The policeman is only restrained by his victim's power of endurance (a very long tether) in matters of extortion; and is unlimited in the matter of receiving bribes. In such a state of things, what right has any Government to hope that their police will be clean-handed and trustworthy? We know that in no part of the world is human nature strong enough to

Digitized by Google

withstand such temptation; and we know that, to orientals, long custom has made an oppressive and corrupt police so much a matter of course, that both oppressors and oppressed look on it as nothing but natural, and no more to be lamented or remedied than old age or death, or any other defect of nature. Yet it is in India that the Government continues to employ a system which cannot but tend to foster this iniquitous oppression on the one hand, and this torpid submission on the other. In a country like India, no change can work real good, which leaves the police in a position practically so unrestrained. There is but one remedial course: to give the police such pay as shall be *really* sufficient to take the keen edge off temptation; and to bring the remedial and restrictive authority into close contact with the policeman and those subject to him. We have more to say on this point further on, but must leave the subject for the present.

Another fruitful source of evil, arising from these large jurisdictions, is that it has called into, or rather maintained in, existence, a host of unauthorized powers, and unauthorized courts, of the very worst possible description. No one, who is at all aware of the internal state of Bengal, will hesitate to affirm that every landed proprietor who opens an office for the receipt of his rents, and for the adjustment of the zemindaree accounts, also presides in that office as judge, not merely of a civil nature, but also in many criminal matters concerning his tenantry: as a judge, too, who does not hesitate to cause his decrees to be forcibly carried into execution, whenever they may not be concurred in. In order to appreciate the amount of gross wrong done in these illegal courts, the weakness and vast loss of influence which, from them, accrues to the British Government, and the small extent of real improvement introduced by that Government which the existence of these Courts show, it is necessary that we should consider shortly the condition of the zemindars and rural population.

Bengal may be fairly described as being, from end to end, an agricultural country; and four-fifths of its population may be said to consist of agriculturists; of men, that is, who gain their daily bread by their manual labour in their fields. This class, by the sheer weight of its numbers and by their occupation, becomes the most important body in the community. However weak and insignificant each individual member of that body may be, it is, in the aggregate, of such importance, that no Government can afford to disregard its welfare. In fact, to state that a Government has neglected the happiness of so vast a proportion of its subjects, would be to state that that

Digitized by Google

Government is an egregious failure. Whatever is good or bad for such a majority is, necessarily, good or bad for ther est of the community: where it is depressed, impoverished, or made incapable of advance, it follows as night follows day, that the minority will, sooner or later, become depressed, impoverished, and incapable of advance. Unfortunately, most unfortunately for British rule, this large agricultural population of Bengal presents difficulties of much the same nature, and seemingly as insoluble, as those which Ireland presents to the English Government. The Bengal ryot is even poorer than the Irish peasant; he is more ignorant, more superstitious, as impervious to the rules of right and wrong; like him he is the holder of small farms at large rents and like him the victim of an ascending scale of landlords; if he is less improvident, he is, nevertheless, generally more hopelessly in debt; and if he is more industrious, he is, generally, far less capable of profiting by his industry.

Such a society must breed criminals of all degrees, as naturally as heat causes corruption. The ryot is an especially easy prey in the direction of his property, his little all being collected in a place which presents no more serious obstacle to the housebreaker than a soft mud wall. The ryot's poverty is no protection to himself, but only to his despoiler. The poor man has lost some six rupees' worth of grain and brass vessels, (about all he had to lose) and, if he does not know the robber, he will hardly be tempted to increase his loss, by indulging in the expensive luxury of a policeman who may, or may not, find him out. If he *does* know his man, he will very often rather put up with his loss than spend more money, and lose so many days of his manual labour (his real wealth) in order to institute a prosecution, which may, or may not, be successful. Yet the poor man's loss is so great that he can hardly be expected to sit altogether quiet under it. If he can find any person near at hand, who is powerful enough to aid him, and who will interpose more quickly and at less expense than the regular courts, to that person he will assuredly apply.

Such a person he finds in his zemindar. As in countries of the West there are still to be found many relics of the old days of Feudal Government, so in oriental lands we still continually find the 'disjecta membra' of the passed-away Patriarchal Government. Through long centuries the ryot has been dependent on the zemindar for all that makes life bearable to him. He has been through all those ages (if he is not still) something not very unlike a serf; and in return he looks to the zemindar for protection, and the redress of many a grievance. However strong a Government may be, it is to be expected that the

Digitized by Google

zemindar will always stand forward among his tenants as an arbitrator in private quarrels, in village feuds, in questions of caste, and even in small matters of a civil nature. Against this much we have no sort of objection. If he never went further than this, he might effect much good by the suppression of bad blood, and by putting a stop to useless litigation. But, in the days of weak Government and anarchy, which immediately preceded our rule, he became more. In all matters requiring redress, the ryot had no one to appeal to, save him who had been his arbitrator. The zemindar was now in a position to assume a far wider power. He united in himself at once, the functions of a policeman, a magistrate, and a judge. He had full power to carry his ruthless decrees ruthlessly into execution. His tenantry was at his mercy, and the mercy he showed them was to keep the pillaging and fleecing of them in his own hands solely. He was personally interested in much that came before him for decision, and he was invariably corrupt. Those who were obnoxious to him could never find justice, while those who were useful to him could get anything they sought for. But there is no reason to recount here the undisputed atrocities which then existed. What we wish to call attention to, is the disgraceful fact, that these unauthorized courts, undoubtedly much reduced in power, but still very strong for evil, have been permitted a continuous existence down to the present day! The mischief and wrong that they still deal out, can only be fairly characterized as appalling. The natives had come to look upon these quasi-courts as customary, and once so considered, it would never have been an easy thing to root them out: but what we have done has only tended to keep them up, and to confirm them as sanctioned by custom. We have all along removed ourselves and our courts so far from the mass of the people, and thereby offered our justice at so large an expense of time and money, that we cannot compete with zemindaree justice. We thus absolutely drive a host of our poverty-stricken subjects to have recourse to it in small matters, while in more important concerns we have left ourselves unable to prevent the over-handed interference of the zemindar. Now a few considerations on the very condition of the being of these illegal courts, will enable even one who is unacquainted with the mofussil practically to estimate, to some extent, the evil they do with impunity, and to notice how many of their worst features in their worst times still attach to them.

Painful experience has shown that even educated English gentlemen cannot be trusted to deal uprightly as judges and magistrates, unless they are so well paid as to be removed above

Digitized by Google

all temptation. It has been found necessary even then, in order to keep the officers of Government not only from dishonesty, but from even the suspicion of dishonesty, to prohibit them from holding land in any district in which they may ever exercise their powers, and from having any money dealings with those under their rule. Now the zemindar not only exercises his authority without any authorized pay, but, (like the old 'trading justices' of Westminster) what remuneration he does get, is extracted from the pockets of the suitors,—a process admirably calculated to induce an active exercise of his powers. The only place, too, in which he exercises it, is that small portion of the country in which he is most interested both as a landholder, and a lender or borrower of money. It is against experience, against nature, that such a man should be other than grossly corrupt and partial:—especially when we know that he is very ignorant, utterly irresponsible, guided by no rule but the rule of self, and thoroughly arbitrary. He is without any trace of the education and special training essential for the offices he assumes. Owing to the difficulty of access to the properly constituted courts, to a not groundless dread of police interference, and to their own inane propensity for persisting in any custom, however obnoxious, that has been long traditional, the natives have come to acquiesce entirely in the zemindar's authority over them, and to submit so surprisingly to his extortion, violence, and partiality, that one is almost led to believe it possible, that after all, in the course of time, eels may get used to being skinned. He has another more tangible, though perhaps not much more potent, grasp on his self-assumed power. His tenantry are generally bound hand and foot to him by debt and have hardly ever known what it is, to be out of debt. Into their aimless existence, the hope of rising in the world the hope of bettering their own or their children's social condition, never enters; we might say, has never been allowed to enter. To make an effort in such a direction is never attempted. Spiritless and degraded, their best, chief hope in life, is to live and die on the lands where their fathers lived and died before them. Their one strong passion, (in which they rival any nation on the globe) is their love for their paternal homes, their expulsion from which is, to them, the greatest conceivable misfortune. Their hope and their fear alike hang on the zemindar. It is at his option to eject large numbers of them at once, and those who have a claim to resist that course are but very little likely to profit by asserting it. The zeminder is a litigious man. He has at his fingers' ends all that chicanery and trickery, of which natives make such skilful

Digitized by Google

use in courts of jutice. His deep purse must, in the course of long litigation, exhaust the ryot's shallow resources. He can buy at once the most skilful legal advice, and the most skilful forgers and false witnesses. The ryot, on the other hand, does *not* know much of the civil courts. When he indulges in law as a luxury, he prefers to recreate himself in the criminal courts. It is more exciting and less expensive; whilst the proceedings are sharp, decisive, and comparatively short. When he sees a beautiful, but false, case got up against him, he fears, (and who that knows what evidence in this country is, will say he fears unreasonably?) to rely solely on the truth and justice of his cause. He must either give in or impoverish, if not ruin, himself by purchasing the material necessary to the construction of another beautiful but false case, in reply. If, after all,he wins, he becomes, for ever after, a mark for the anger and malice of the dreaded zemindar; to whom he is generally already in debt, and who can almost always make him so by driving the rent screw home into him.

Under such circumstances it is not to be wondered at that the tenant very largely acquiesces in the zemindar's assumption of authority over him. On the one side he is urged to submission by a very tangible fear, and he is impelled to it, on the other side, by respect for tradition and custom; which latter, if a less tangible impulse, is, in India, not much less powerful than the former. Thus the zemindar is sustained, at once, by inclination and by fear:—the inclination so strong, that the ryots not only scarcely ever inform against the zemindar, (and when they do, it is but a small proportion of cases that is successful,) but actually do their best to screen him when justice runs him hard, while the fear is of such a nature as to become, obviously, a chief safe-guard of the system. For wrong doing, as such, the ryot does not care a straw. If it is to excite his indignation, it must be directed against himself. When he sees his neighbour wrongfully oppressed, he feels perfectly indifferent and rarely dreams of interfering. He has no public spirit, and to stand well with the zemindar he will swear any lie that is required of him. The zemindar, too, is generally sufficiently politic to give some support to the fabric of his power. He knows within what limits his violence and extortion will be endured, and, (though to be sure, his moderation is not much taxed,) beyond those limits he does not care to go. In order that he may be allowed to be unjust where his interests require it, he endeavours to be just where they are not concerned; so that in much that comes before him, he gives a shrewd, prompt, cheap, and popular decision, most delightful and satisfactory to his tenantry.

Digitized by Google

Thus protected and supported, the zemindar is a power of very great magnitude; far more influential with the masses than the magistrate himself. The chief check upon him is a police which is well capable of receiving bribes, and which he is well able to bribe. He allows nothing to stand in the way of his interests. In spite of laws to the contrary, he still adds illegal cesses to his rent, and still hales his tenants by force before him. He fines, he imprisons, he liberally inflicts stripes, and then coolly makes his victims pay fees to the subordinate agents of his persecutions. He supplies his wants from the ryots free of cost. He prohibits whole classes from following their trades, till they have paid him for a written licence to do so. He prohibits questions of caste to be adjudicated till the caste has paid him for licensing their chiefs to adjudicate. He becomes an inquisitor on points of morals. He forcibly exacts fines as punishments for breaches of the seventh commandment; he subjects women to the indignity of personal examination, and afterwards, even if he acquits them, he extorts a fee for the trouble they have put him to. He adopts a new reading of the tenth commandment, and prohibits men from bearing true evidence against their neighbour, when that neighbour makes it worth his while to do so. On the other hand, he very frequently enjoins the hearing of false evidence. There are not wanting many instances of darker crime: of victims deliberately ruined by forgery and perjury; of victims murdered; of villages plundered by the zemindar's gangs of dacoits. So feeble is our power over him, such his sense of security, that he is by no means careful entirely to conceal his position. He openly and notoriously supports in idleness a worthless band of ruffians, valuable only to him on account of their muscles, their lattees, and their thorough unscrupulousness. With an appearance of irony, which is probably not intended, he is very fond of prostituting to his own use the nomenclature of the Government courts; a process whereby he attaches no small weight to his proceedings in the popular mind. Not very long ago, as the writer was crossing a river in the mofussil, he saw a house picturesquely situated on its banks, and enquired who lived there—'No one just now,' replied the manjee of the boat (and then, with much naiveté) 'That is the 'chota garod,' (guard house), and he added the 'boro garod' was about a mile and a half inland. Further examination elicited that these were the places in which the zemindar confined those who were obnoxious to him, according to the degree of guilt he attached to them. The writer visited them: they were both one-roomed tenements, empty and unguarded, but secured with a chain and

Digitized by Google

padlock. Two or three other people, casually questioned, designated them as the manjee had done. But when the writer attempted to get judicial evidence, none was forthcoming from the manjee or any one else :—a circumstance which seems to tell strongly for our argument, as to the security which the zemindar's position affords him. On another occasion a zemindar was accused of wrongfully confining a tenant, who had demanded payment for goods supplied. The tenant's brother, (who appeared as a witness in the case,) explained how he had gone to the zemindar with a remonstrance in this wise :—'Sir, my brother is in your "*hajut.*" The magistrate always gives '*his* prisoners good food regularly, whereas you have given him 'nought to eat all day.' The witness went on to say that the zemindar, seemingly much struck by the excellence of this suggestion, ordered his prisoner to be fed twice a day. This further approximation of his position with that of the magistrate was, probably, just as gratifying to the ryots as to the zemindar.

Instances of the wrong doing of zemindars, (or to speak more accurately of their managers,) do occasionally come into the magistrate's court even as it is. The writer will mention a few that have come within his personal experience within the last three months. A gomashta, having heard that a girl was illicitly pregnant, caused her to be brought before him. He made her father enter into an agreement to pay a large fine if this should prove to be the case. He then caused the poor creature to undergo a personal examination, and that, too, in the presence of several men who had come to him in the course of other business. Her innocence being thus established, the father's agreement was destroyed, but the unfortunate girl's character was blasted; she and her father were both outcasted, and a round sum had to be paid before the ban was taken off. Another poor woman, similarly charged and in the same way proved innocent, was compelled to pay a fee to the zemindar's peon who had haled her to the cutcherry, and was excommunicated in addition. A written petition was put in, at the zemindar's cutcherry, accusing a certain *kamar*, (blacksmith) of a violent breach of caste. The zemindar, after assembling the paramanics of the caste, forbade them to adjudicate the matter, till they had paid for a licence from him to do so. The *paramanics* refused to pay, and could not enquire into the matter without the zemindar's permission, 'but' (said they) 'as the accusation 'has been made, the man must be outcasted, till it is settled 'somehow,' and accordingly the man was outcasted till such time as the dead lock should be solved. In another case a *gwala* put in a paper, which the zemindar's agent admitted to be genuine,

Digitized by Google

and which ran thus—'You so and so, having been prohibited 'from trading in milk during the past year, because you would not 'pay for a license, are now, after having paid for one, hereby 'authorized to pursue your trade,' and it was signed by the zemindar's *karparduz*. In a case of theft, and another of burglary, the defendants urged in court that the evidence brought against them could not be true, as it had not been brought forward when they were tried and acquitted by the zemindar, as the papers of his court would show. The trial and acquittal from the zemindar were not denied by the other side. These are but a few cases, it is true: but multiply this experience of three months by that of all the magistrates in Bengal, and to what an amount will it swell. Yet these small contributions of experience serve only as the merest indications of the dreadful mass of evil which flourishes unrestrained and unknown in every district of Bengal. They in no way represent its amount. They are but sample grains from the full sack. They are but a few cases which the courage and circumstances of a lamentably small number of people have enabled them to carry through. Their appearance serves to show that a growth of evil, rank and unchecked, flourishes all over the mofussil, as freely as noxious weeds in the *jangal*. After all, what is it we have done towards remedying the state of things we found? Still we have the zemindars assuming the functions of the police, the magistracy and the bench; still they have power to carry their ruthless decrees, ruthlessly into execution; we have left the ryots still at their mercy; the zemindar is as corrupt as ever, and as much interested in what comes before him; he can still deny justice to the injured, and ward off punishment from the guilty. The most that we can say for ourselves is, that we have compelled him to be less openly violent, and even to be less generally violent; but if we have thus made the evil more tolerable, we have only thereby made it the more secure. It will not do to plead that the highest degree of the evil is lessened. That such an evil should exist at all is a burning and humiliating blot on our much vaunted rule; while its still high degree and enormous extent are an unspeakable disgrace to us. Our rulers and governors, here and in England, have lately taken to congratulate themselves noisily, on Indian 'progress,' 'elasticity of resources,' 'growth 'of commerce,' 'total reform of law,' &c., &c. This sort of thing is, to our minds, horrible. Whilst the vast majority of our subjects are so hopelessly poor, abject, and wretched; while they are subject to the extortion, injustice, and violence of their own zemindars on the one hand, of our own police on the other, the real fact is that we are, as regards that larger

Digitized by Google

portion of our subjects, a miserably weak Government. Whilst we offer the protection of our courts on such terms only, that prosecutors and witnesses strive to avoid them, we are, in fact, an ineffectual Government. Whilst the great body of zemindars act as they do in spite of us, we cannot be called influential. When our police, besides bearing a heavy burden in sins of omission and commission, cannot put down open gang robbery, we ought to hang our heads. It is no time for self-laudation and congratulation, when, in the mass of our subjects, no perceptible 'progress' is made at all; when the 'growth of 'commerce' brings them no benefit; and while, in spite of 'elastic resources,' they remain the poorest, the most hopelessly poor, of all the nations of the earth. As for the 'total reform 'of law,' that may or may not be a benefit:—one does not care for butter, unless one has bread. Sancho Panza declined to make a code for Barataria, since he saw no reason to suppose that any one would obey it. We are not so bad as that. Our new and carefully compiled laws have been of very great benefit and use. The good they have done is, abstractedly, very great; but what we fear is that, in the mofussil, it is comparatively small for to make a 'total reform of law' a real benefit, it should have been preceded by a large reform in the executive.

We cannot refrain from here quoting, in support of our strictures, the words of the memorable police committee of 1838.

At paragraph 18, they say:—'The next effect we have to refer 'to as exercising a very baneful influence of the efficiency of the 'police and the comfort of the inhabitants is the great extent of 'country over which the jurisdiction of each magistrate extends. 'This not only places it out of his power, except very rarely, 'to hold any personal communication with the people under his 'charge, at their own homes, or to become acquainted with the 'remoter localities of his district, but it also prevents him from 'exercising any effectual contract over the conduct of his 'thannadars, (his only instruments for preserving peace and 'good order,) who are in consequence notoriously corrupt, and 'often the oppressors of all around. It is also in a great measure the source of that dislike so generally entertained, to 'have any thing to do with police matters, inasmuch as the 'intolerable inconvenience to which prosecutors, witnesses, and 'defendants at a distance, one exposed from the necessity in 'every case of attending the magistrate's cutcherry, is owing 'to that cause.'

The remedy for all this is obvious; it is sub-divisions. Sub-divisions not under a police or judicial officer solely, but under both together, so that not only shall there be a police every

Digitized by Google

where near at hand to detect and arrest offenders, but also judges every where near at hand to try them. We had most entirely believed that this principle was one fully recognized, and one which the Government would act up to, to the fullest extent of the means at its command. We still cannot but hope that the rumours to the contrary are false; and that the deplorable and backward step of abandoning even what we have will never be taken. Nevertheless we know that the present inspector-general has, with apparently every probability of obtaining acquiescence, proposed to destroy at least one-half if not the greater portion of the utility of sub-divisions. He wishes to reduce the number of assistant district superintendents to such an extent as will practically abolish almost all sub-divisions for police purposes. He would keep only fifty assistant superintendents for Bengal, and seeing that in the regulation provinces alone there are no less than thirty-eight district superintendentships, it is evident that if the whole fifty were employed in the regulation provinces, there would still be but twelve men available for sub-divisions. Yet the restrictions on the judicial officers would remain the same. The object of all sub-divisions is to convey as widely as possible all over the district those advantages which would otherwise be confined to the sudder station; these consist not only in the prompt and cheap hearing of judicial matters, but in the closeness of supervision which those in authority can exercise over their subordinates, especially in the police; the consequent protection against oppression on their part, and the greater energy which will be instilled into their work; and the greater success which will result therefrom. Those who have followed us in our detail of the evils arising from extensive jurisdiction will perceive how great a proportion of them might be remedied by an active and vigorous police to check the oppression of the more powerful natives, superintended over small areas by an active and honest officer to check oppression on the part of the police. Under a system of this sort, properly carried out, those illegal confinements, mysterious disappearances, illicit courts, and open extortions, which now go on so widely to our disgrace, would die out surely and swiftly, if there is any truth in the lessons which experience has taught us here and elsewhere as to the value of such a system. The class of assistant superintendents which Colonel Bruce is so anxious to all but eradicate seem to us to be not only a most useful and necessary class, but to be the only useful class which the system has introduced. Colonel Bruce wishes to diminish them on the score of economy. We can only earnestly hope that the economy of abolition will be applied to the top and not to the root of the tree.

Digitized by Google

There is yet at this time even, we think, room for executing a very simple plan, which would obviate entirely that breach which at present exists (in however diminished a degree) in the great principle that prohibits the thief-catcher from being the thief-trier; which would provide competent officers for each department of Government separately, and give no man more than he can really do; which would raise the dignity, influence, and usefulness of executive officers in divisions and districts, which would have every solitary advantage that can possibly be claimed for the present system, without any of the disadvantages we have urged against it; which would remove in a great measure those disgraceful evils that have occurred from large jurisdictions, and which lastly, but not least, would, while it does all this, be less costly than the present plan.

This plan, which is in effect that proposed by Mr. J. P. Grant, we will endeavour to explain. We must begin however by premising, that as all the previous portion of our argument has had reference specially to the regulation provinces of Bengal, so also will our present scheme and calculations. To begin then. Our first step would be to abolish the inspector-general ship, and not to have any similar appointment at all. Then we would abolish all the deputy inspector-generals, and back on their duties to the other duties of the commissioner, without however, increasing the commissioner's pay. Our attention would next be turned to the magistrates and district superintendents. The latter we would abolish, and while on the one side we would add the district superintendent's duties to those of the magistrate, we would on the other hand deprive the magistrate of his collectorate, and of all his judicial powers: nor would we alter the magistrate's pay. Then comes the question how are we to provide for the duties abandoned by the magistrate? Before considering this, we must see what are the means at our disposal.

We have got rid of

1	Inspector-General	at Rs.	3,000 = 36,000	Rs. per annum.
1	Deputy Inspector	„	1,500 = 18,000	„
1	Ditto ditto	„	1,200 = 1,4400	„
2	Ditto ditto	„	1,000 = 24,000	„
8	District Supdts.	„	800 = 76,800	„
6	Ditto ditto	„	700 = 50,400	„
9	Ditto ditto	„	600 = 64,800	„
15	Ditto ditto	„	500 = 90,000	„
		Total	Rs. 3,71,400	

Digitized by Google

This tabular statement has been compiled from the *Gazette* of the 30th January 1864, and cannot represent a state of things materially differing from the present. We can afford to do a good deal with the three lakhs and three quarters at our disposal. We wish to have a separate collector at each sudder station, and also an officer to be called joint magistrate and *joint* collector (not deputy collector), who is to act on occasion for either the magistrate or collector. We think it undeniable that the collector's duties are not a bit too much for the experience of those members of the service who are now called joint magistrates, and who receive a salary of nine hundred rupees a month. We think therefore that this will be fair and adequate pay for the new collectors we propose, while rupees seven hundred a month would suffice for the joint magistrate. Now there are thirty-six regulation districts. In them we already have twenty-two joint magistrates on rupees nine hundred a month, and eleven on rupees seven hundred a month. What we require therefore is,

14 new officers at Rs. 900 = 1,51,200 per annum.
25 ditto ditto „ 700 = 2,10,000 „

Total Rs. 3,61,200

meeting this out of our rupees 3,74,400, and there is a saving to Government of 13,200 rupees per annum, and to this must be added the whole establishment and travelling pay of the inspector-general, and the greater portion of the establishment and travelling pay of the other forty-two abolished officers. The total saving may safely be put down at half a lakh a year.

To the new officers on 900 rupees we would assign all the duties of the collectorate, and to these duties we would strictly confine him, save that he might be available as criminal judge, with the magistrate's present criminal judicial powers. The magistrate should be the executive head of his district, including the police, and should look to the commissioner as his immediate chief. As assistants to him we would retain the whole body of assistant district superintendents, and generally speaking, all the officers in charge of sub-divisions. This combined body should be a purely executive one, and have no judicial or revenue powers whatever. They should not be allowed to be collected at sudder stations, but should be scattered broad-cast throughout sub-divisions; and in these limited areas they would be required to perform duties precisely similar to those of the magistrate, but in direct subordination to him. Into this class we would place all assistant magistrates capable of the charge of

Digitized by Google

sub-division, and every deputy magistrate who could be spared from the judicial hearing of cases. To carry this out with regard to the large number of men who would be added to those already in charge of sub-divisions would necessitate a similar increase in the number of the sub-divisions, and the Government would obtain this enormous benefit without having to retain one more officer than they have at present, or to pay away one pice more of salary.

So much for the executive, and now for the judicial department. This department we would subordinate throughout to the sessions judge of each district. His original jurisdiction would be confined to those cases that might be committed to his court, and other cases we would leave to be disposed of by joint magistrates, sudder ameens, assistant magistrates, and deputy magistrates at the sudder station, and by the collector also should he have time. For this purpose we would invest all sudder ameens and moonsiffs (at present purely civil judges,) with criminal judicial powers according to their grades,—a measure so unobjectionable and of such obvious utility that is quite marvellous that it has never been enforced. These officers we would scatter over the district like the magistrate's subordinates, and things should be so managed that a sufficient number of deputy magistrates might be added to these, to admit of there being one judicial officer supplied to each sub-division. Of course such deputy magistrates as are better judicial than police officers, would be selected for this purpose. If there were any deficiency in the number of these judicial officers, there would be no great harm done if occasionally two smaller police sub-divisions were united under one judicial officer for judicial purposes. Here again the Government would gain a large access of criminal judges without any extra expense.

We would make every judicial officer, joint and assistant magistrates, as well as all sudder ameens and moonsiffs, both civil and criminal officers, and in both branches they should be directly subordinated to the judge. The only difficulty would be in the matter of appeals. The judge would be overwhelmed if all appeals passed through him, yet it is not easy for him to ascertain the abilities of his subordinates otherwise. We think however that it might be done thus. The judge should continue to receive as at present all appeals from officers exercising the full powers of a magistrate, but we would assign to the collector, as the only criminal work obligatory on him, the duty of adjudicating appeals from all officers of inferior powers: in other words, appeals to the judge should be left as they now are, and the appeals to the judicial magistrate should be

Digitized by Google

transferred to the collector. To enable the judge to become acquaintedwith his subordinates, we would make it *compulsory* on him to call for and look into a certain number per month *of only those cases which have been dismissed or are not appealable.* The advantages of such a practice are so obvious that we cannot but regret that the *permission* to call for this class of case is not more frequently exercised by judges. A judge will know his subordinates better by this means than through appeals. Where a case which can be appealed has been badly done, it is almost certain that it will be appealed, and the trying officer, knowing this, will work carefully accordingly. But the temptation amid a heavy press of work, not to be so careful in cases which are not likely to be scrutinized by a superior court, is very great. Nevertheless all such cases demand as much care and patience as others, and it is obvious that such a practice as we propose would go a very great way to ensure this. To the judge we would assign the magistrate's duties of making criminal returns and statements, and of reporting on the official conduct of his subordinates. The collector would be aided by the joint magistrate as joint collector, and by the assistant magistrate as assistant collector, and by the judicial deputy magistrates as deputy collectors; all of these subordinates too, but especially the covenanted subordinates, who may rise to be judges hereafter, should also be employed in minor criminal work. Thus an assistant, when he first joins his appointment, would begin to acquire experience in the criminal, civil, and revenue law. When sufficiently grounded, he would be sent out to a sub-division and there acquire a practical knowledge of the working of the police. His first promotion would make him lieutenant of a district, widen his experience in the three branches of law, and make him more closely acquainted with the working of the collector's and the magistrate's offices. He would then become himself collector, but in that capacity he would, as senior appellate judge, lose none of his intimacy with the criminal laws. He would next attain to the more important and difficult office of magistrate at an age when his experience and intellectual powers have fully ripened and matured. From this point promotion would run as at present.

This plan would cost nothing, but would actually save something. It would retain all that is advantageous in the new system and all the procedure now in force, while it would obviate every clash of principle, and remove all the disadvantages and drawbacks that are now complained of. It would materially increase the aggregate strength of each department by introducing

Digitized by Google

a large number of officers, and it would materially increase the power of each individual officer by giving him a reasonable sphere in which to exercise his office. The one blot that we see upon the system is the one point in which it departs from that of Sir J. P. Grant. Our system would be as good as any if only every man who was fit to be a collector was sure to be afterwards fit to become a magistrate; but this is not the case. There will be found men who are diligent, conscientious, and successful as collectors, who would break down thoroughly in the more arduous post of magistrate. It would be obviously unfair to leave deserving men of this class upon a salary of 900 rupees a month all their lives; and it would be as obviously unjust to the public and to the officers themselves to promote them to an office the duties of which they could not perform. Mr. Grant's method of meeting this difficulty was perfect. He raised the collector's pay as high as that of the magistrate, making the two offices of the same emolument and dignity. By this means a good collector would suffer neither in pocket nor reputation, because his speciality does not lie towards the magistracy. It would induce good men to remain in the revenue department, and the collectorate would form an admirable nursery whence to select commissioners; while such men as were not adapted to any higher office could not complain that these claims were overlooked if they were left to complete their service on 1,900 rupees a month. The only thing is that it would cost (we believe) some four lakhs of rupees annually to make the collector's pay equal to that of the magistrates, and that we see no prospect, at present at least, of getting any such sum for any such purpose. It is what we think ought to be done, but if there is no money forthcoming, there is no use in talking about it. Should money be found hereafter, our plan would not interfere at all with that proposed by Mr. Grant. Meanwhile we think that our plan is the next best that can be adopted, and a very trifling expenditure would remove a great part of the blemish we have specified. When the Government has an officer, whose talents are not equal to more than a collectorate, but who is well worthy of his hire in that line, let the Government make a special exception in favour of that particular officer, and, instead of promoting him to a magistracy he is not fit for, promote him, personally, to a magistrate's pay in the collectorate. Many such officers we do not think there would be, and if the present system were abolished in favour of the one we have proposed, it would bequeath us an annual half lakh (at least) of its expenditure wherewith to meet this contingency. Such a sum would want but a very small supplement from Government if it wanted any at all.

Digitized by Google

And now we have said our say upon the principle of the system of criminal administration in Bengal. We had hoped to have spoken also of the method in which that system is carried into practice, but we have already far exceeded our intended limits of space, and trespassed far too much upon the patience of our readers. The practical working of the system is a subject, whose importance and variety would require no small amount of space to consider it in, while we may now write but a few more lines. Having here considered the theory and principle of the system, we hope soon to supplement this article with one whose subject shall be the practical working of the system. It has been necessary for us chiefly to bring forward our animadversions on the new system; but we would not be misunderstood, and have it supposed that we are totally averse to it. The contrary is the fact. The pith and marrow of the principle we approve, and the greater portion of its embodiment we would retain in our own scheme. Before laying down the pen which has been occupied solely in animadversions, we desire in fairness to ourselves and to our subject, to record, however briefly, some of the more eminent advantages which the new system has given us, or rather, (for truth compels us to qualify the praises) has at least partially gained for us. *First*, it has most properly commenced reformation at the root. It has improved the physique, the skill, the weapons, and the courage of the constabulary, so that they are far more than a match for any opponents they are likely to meet. *Secondly*, by increasing the pay and the future prospects of the officials at the thannah, a better class of men is obtainable, whose self-respect and emoluments both combine to lessen the temptation to corruption. *Thirdly*, the supervision exercised over the native police is now so much closer and more direct, that it is not only far more difficult to be corrupt with impunity, but the police are kept up far more strictly to an active discharge of their duties, than in old times. *Fourthly*, owing to the police being in the hands of one active and intelligent man who has nothing whatever to do but to detect crime, offenders have a far more arduous task to defeat justice than they had before, and are far less successful in defrauding it; while the police cases are much better prepared for the magistrate's court than formerly. *Lastly*, the separation between the functions of thief-catcher and thief trier, though not quite complete, has been fully acknowledged in principle, and to a great extent carried out in practice. These are enormous advantages, and with them we do not think that there can be any question that the new is a great, a

Digitized by Google

very great, improvement on the old system. The only questions that there can be are—'Have we obtained the fullest amount 'of improvement that be reasonably expected from the system?' 'Can the same or more advantages be obtained at any mat-ri-'ally smaller cost to the country?'

Digitized by Google

ART. II.—1. *Calcutta University Calendars for* 1862-63, 63-64, 64-65. Calcutta, Thacker, Spink and Co.

2. *A Review of Public Instruction in the Bengal Presidency from* 1805 *to* 1851, by J. Kerr, M.A. Principal of Hooghly College, Calcutta, 1852.

3. *Papers connected with the Question of erecting a University Building and establishing University Professorships and Scholarships.* Calcutta, 1862.

SOME of our readers will no doubt think that enough has been written on the subject of education both here and in England. We will re-assure them, as well as we can, by informing them at the outset that we do not intend to investigate the Sonatic question, whether virtue can be imparted by teaching or not, nor to recapitulate the arguments by which Mr. Buckle has proved that the improvement of the intellect is the most important element in the progress of civilization. We shall assume that educated persons, if not more moral than others, are at any rate more convenient people to have to do with. And we may observe that, with respect to the natives of India, our assumption is supported by the testimony of civilians, who are qualified to pronounce on this point by a peculiar and intimate knowledge of the country. It was not long ago that, on a great public occasion, we were assured by an eminent jurist, that there is no mind more subtle than that of the educated Bengali. Accordingly we propose to compare the system of education pursued in the university of Calcutta with that pursued in English universities. This course, if no other good effect can be reasonably expected from it, may at any rate serve to draw the attention of people generally to the great results which have been achieved in Native education.

The first point that must strike any observer is, that the mere 'pass' subjects required from a student of the university of Calcutta are, *mutatis mutandis*, higher than those required from a student of Oxford or Cambridge. But here we must stop. There is nothing in the Calcutta university course to be compared in any sense with the honour course at the

Digitized by Google

English universities. And this we believe to be one reason why the university of Calcutta has produced so very few highly educated men. Another reason may be found in the fact that there is at the university of Calcutta no body of native fellows,* able to devote themselves to the pursuit of science or literature without fear of starvation of loss of social position. Of course it will be objected that in a country of hookahs these fellows would be a privileged class of salaried drones. No doubt, if they were left to themselves, they would be. But even in England it was found that the professors at one of our great universities, though indefatigable in acquiring knowledge, were not over-zealous to dispense the fruits of their labours to the surrounding world. A remedy has been easily found. At Oxford there has never been any ground of complaint. Though old-fashioned churchmen may shudder at the name of Mr. Jowett, and tories stand aghast at each new political monstrosity which emanates from the fertile mind of Mr. Goldwin Smith, no one has ever complained that the professors of Oxford do not make their views known. The complaint has ever been that they write what they ought not, or meddle with subjects which are not their province. However, we can scarcely hope that the native fellows of the university of Calcutta will be as progressive as those of the university of Oxford, which has, during the last six years at any rate, amply rebutted all the taunts flung at it for not conforming to the spirit of the age. We would propose then that there should be appointed, for each subject recognized by the university of Calcutta, a native prelector qualified to lecture on that subject. We would select, for instance, from among the honour graduates in natural science some young student to whom we would give the dignity and salary of prelector.

We would allow him two years of grace, during which he should be occupied in maturing and co-ordinating his knowledge. After this, we would require him to travel round to all the important centres of population in Bengal, and deliver a specified number of lectures in the vernacular language. The number of lectures to be delivered might be regulated by Government, as also the places which the prelector should be required to visit. No doubt, for the salary of fifty rupees a month many students would be glad to devote themselves

* We use the word 'Fellows' of course in a different sense to that in which it is used in Calcutta. The Fellows we propose would resemble the Fellows of Balliol or Trinity. The Fellows of University of Calcutta we are an anamolous body, to whom it would be difficult to find a parallel in England.

Digitized by Google

to some branch of literature or science. It is perhaps impossible to conceive what would be the result of bringing the truths of modern science in a palpable form in contact with the superstition of the uneducated native. However we do not anticipate such great results from lectures to uneducated or even moderately educated natives, as from the effect which would be produced on the native mind by the mere existence of a body of men, who, instead of resting upon their oars, and pluming themselves upon having at a certain period of their lives crammed up a certain amount of history, and thereby obtained a Government appointment, would be continually striving to add to their stock of information, and engaged in the most elevating employment in which a man can be engaged, the pursuit of truth.

We do not suppose that this scheme would involve a greater drain upon the public purse than a thousand rupees a month. Of course such a scheme is open to the charge of being visionary,—most schemes are so until they are carried out,—but that it is impracticable we can hardly bring ourselves to believe. It is at present the universal complaint that the educated Bengali is apt to be conceited. We believe that the nostrum we have propounded would soon cure this disease. At present the educated Bengali is aware that between himself and the mass of his countrymen, who have never dipped into English learning, there is a great gulf fixed. And as all his contemporaries have gone through the same course as himself, without ever carrying on their studies so far as to obtain excellence in any department, he is never impressed with the sight of one of his own countrymen possessing attainments vastly superior to his own. If he were once to see that after obtaining the degree of M.A. he has not exhausted any subject, that there is yet a higher height, a deeper deep, to be attained, and that one of his own race, with whom he can sympathize, has attained or is attaining it, he would rise to the consciousness of his own ignorance. Conceit would be exchanged for reverence, a frame of mind, as Plato tells us, not altogether unworthy of a philosopher. We suppose that the scheme, when first submitted, may have been considered premature. But there is evidence that it is now no longer so. All around us there are tokens that in India the Mahometan mind is beginning to awake from its long sleep. We ourselves have seen a commentary on the Hebrew text of Genesis by a Mahometan, and though the author had at that time only got as far as the two first verses of Genesis, there was abundant evidence in the introduction, that he was familiar with some, if not the most recent, results of Biblical criticism in Europe. We

Digitized by Google

hear too on all sides of the establishment of Mahometan literary societies. To these the prelector whom we have supposed, would be a very *præsens deus*. It would be no inconsiderable blessing conferred on India by England, if under her rule such an intellectual movement were to take place among the Mahometans, as took place under the Arab rule in Spain. And we may fairly expect that its results would be more lasting. The Christian would welcome such a movement with enthusiasm, the orthodox Mahometan fanatic would not be able to crush it, as that in Spain was crushed. In England it is an axiom that the best thing the Government can do, is to let well alone. We doubt whether this maxim is applicable to all ages and countries. If Calcutta is to be the Indian Alexandria, if we are to have our Euclid and our Plotinus, we must first have our Museum and our Ptolemy Evergetes.

Between the subjects studied in the university of Calcutta, and those studied in English universities, there is of course a great difference. In the first place Sanscrit is not part of the pass or honour course at any English university that we know of. In Calcutta of course it is a subject to which great importance is attached. And here we would be understood as desirous to speak with the utmost diffidence, when we suggest that perhaps too great importance is attached to it. The great value of Sanscrit is as throwing light on the comparative grammar and the comparative mythology of the Indo-Germanic races. We would hail with delight the oriental Benfey, we would gladly sit at the feet of the Bengali Max Müller. But in order that such a man should arise among the Hindoos, Greek and Latin must first be taught according to the improved philological methods of the present day, and of course long before that time French and German will have become a recognised part of the university course, and no educated Bengali will write in his native language. But the time for that is not yet come. Before that native education will be in its third stage of development: it has not as yet, we apprehend, begun to enter on its second. Of course it is an ideal which it is not wrong to entertain, but it is as yet only an ideal. European *Savants* will certainly not look on in cold contempt, when some Indian does for the dialects of India, what Diez has done for the Romance languages of Europe. But at present we may be allowed to doubt whether such a purpose is even contemplated in the study of Sanscrit. The principal object, as far as we can learn, with which we encourage Bengalis to learn Sanscrit, is that they may be able to translate English philosophical terms into their native language. As long

Digitized by Google

as this continues to be its main object, the study of Sanscrit should occupy a very subordinate position. The great object of English education must be to de-orientalize the native mind. It seems to us that the continual study of Sanscrit with the help of native teachers must have a decidedly opposite effect. If it is not studied in a philosophical and critical temper, it must have the effect of predisposing the native mind against European science. And this effect we have heard that it does actually produce. Lord Macaulay raised his voice to some purpose against the study of the native classics.* But there has recently been a reaction. It is certain that the Hindoo does not approach the study of the decaying thought wrapped up in the poetry and philosophy of his native land, in the same frame of mind with which the European sits down to a mythus of Plato, or a traveller's tale of good old Herodotus. There is for him in those wild legends, which seem to us unhealthy and cloying, a spell all too potent. We may even fear whether they have not the effect on the mind of some of our most promising Hindoo pupils, which, according to Gibbon, the literature of pagan Rome had on some of the more enthusiastic scholars of the *Renaissance*. Time was when Europeans, nominally Christians, longed once more for the splendid worship of the Capitoline Jove, and, when their heads ached, had serious thoughts of sacrificing a cock to Aesculapius.

Much of what has been said on the subject of Sanscrit applies with equal truth to Arabic. It is scarcely worth while holding out an inducement to an educated Mahometan to learn Arabic, as in any case he will not remain ignorant of it. But it is of use holding out an inducement to him to learn Hebrew or some other Semitic tongue, as he may then be able to lend a helping hand to European labourers in the same field. It is of use stimulating him to familiarize himself with the philological investigations of German scholars, as he will return to Arabic with a mind trained and prepared by the study of comparative grammar. Although Latin and Greek cannot be made a part of the regular pass course, it may perhaps be a subject of regret that so few candidates present themselves for honours in these subjects. The most superficial acquaintance with the labours of Europeans in this department of knowledge would have a very beneficial effect on the mind of a native philologer. Not that we suppose that there is any peculiar nobility attaching to these studies, or that writing Latin verses is in any respect a more elegant accomplishment than framing

* Mr. Kerr, in his history of public instruction in the Bengal presidency page 146, has some excellent remarks on this subject.

Digitized by Google

Sanscrit *slokas*, but for the last three centuries some of the finest intellects of Europe have been engaged in the critical study of the Latin and Greek languages, and it is in this field that the noblest triumphs of scholarship have been won. Indeed, there seems now to be little room left for future discoverers. Whoever would aspire to rival Bentley or Hermann must strike boldly into some less well known region. The ardour with which the greatest living scholars of Germany have thrown themselves into the study of the oriental languages, indicates clearly where this virgin soil is to be found.

But the subject which is made the study *par excellence* of the university of Calcutta is that branch of enquiry called mental and moral science. This appears to comprehend ontology and psychology, as well as morality. No doubt metaphysical speculation is well suited to the character of the native mind. For the Hindoo the science of knowing and being is in truth the science of sciences. Its attractions are evidently irresistible. For instance, in what town in England would any man who offered to lecture on intuition find an audience? The fact is, in England we seem to have taken the advice of one of our most eminent thinkers, who recommended all men to whip off their minds from those studies, in which it has been found by experience that no progress can be made. In the English universities, at any rate, philosophy is not a popular study. Ancient philosophy is no doubt carefully studied, and is most useful to the theologian as well as to the historian. It is only from familiarity with those old-world thinkers, that we can estimate those spiritual and intellectual cravings, which the λόγος θεῖος for which Plato sighed was designed to satisfy. Moreover the works of Plato and even of Aristotle have great literary merits. In German universities philosophy has been always most diligently cultivated, though we hear now that it is beginning to be less popular with the students than with the professors. Kant has been succeeded by Fichte, and Fichte by Hegel, and no doubt as soon as the materialistic school, which seems in fashion at present, has been exhausted, the magic wheel will begin to revolve again, and philosophy will go through its appointed course of idealism, scepticism, and materialism, once more in the history of Germany. For, in a German university, philosophy, if not one of the sciences technically called Bread-Sciences, is at any rate a science by which bread may be obtained. Every man knows that if he can manage to invent some novel and paradoxical form of idealism, one of the numerous princes with which the fatherland is blessed may make him a professor in one of the fatherland's numerous universities.

Digitized by Google

The fondness for metaphysics in Germany is generally ascribed by Englishmen to the visionary and unpractical character of the German nation. But we think that the Germans, though as a nation they may be unpractical, are as individuals eminently practical. This perhaps may be the reason why they have not taken any of the hints, which their greatest author, himself a philosopher, gave them by the mouth of Mephistopheles.

However, if philosophy must be taught,—and it may be laid down that, in order to know a language properly, one must read at least one philosophical treatise in it,—it is perhaps a matter for congratulation that the university of Calcutta have adopted the philosophy of what is called the Scotch school, which was founded by Reid, and was a reaction against the scepticism of Hume, and the idealism of Berkeley. Now in English universities whose fault, if fault it may be called, is to prefer total ignorance to superficial knowledge, and where a wholesome horror of epitomes prevails, a man who wished to study the philosophy of Reid would be referred to the works of Reid. But in the university of Calcutta the text book for the second year in mental philosophy and morality is Abercrombie on the Intellectual Powers and Moral Feelings, and for the third and fourth years Payne's Mental Philosophy and Wayland's Morality. Payne's work is an epitome of Brown's works, a philosopher who, where he does not follow Reid, is generally considered to differ for the worse. The work of Dr. Abercrombie contains a short treatise on metaphysics and logic, in which the subject is rather adverted to than treated of, intertwined with a series of anecdotes illustrating various symptoms of diseases, mental and bodily. This is followed by a not very well-arranged treatise on morality. It has been remarked by a writer on insanity, that even in the more strictly medical part of the work, there is no attempt at classification. But the metaphysical part is a chaos of misstatements, misrepresentations, and contradictory assertions, interspersed with pious reflections. It may be doubted indeed whether his defence of the Christian religion, (which is a part in one sense of his work, as being evidently the undercurrent throughout,) does not conduce to the very result which it was intended to obviate. There is nothing more dangerous than weak defences or tedious reiterations of familiar and sacred truths. The danger is heightened, when these defences are interpolations in no way connected with the main subject of discussion. Reid, though his answer to Hume and Berkeley has been considered inadequate by metaphysicians, which some people might think no important objection to his system, has

Digitized by Google

the merit at least of having written in a clear and simple style and a manly and reverent spirit. Besides, though Reid, like every other philosopher, seeks to establish his system on the ruins of those constructed by previous thinkers, he does so after a deliberate and impartial review of their opinions. No student of an enquiring turn of mind could carefully read his works without being stimulated to investigate the systems of those philosophers whom Reid criticizes. No student could have read through Reid's criticism of previous philosophers, without having had their opinions fairly laid before him. We may add that Reid's style, though homely, is clear and nervous, though he has not, like Sir William Hamilton, laid all languages, ancient and modern, under contribution for terms in which to express his meaning, and rifled every system of ancient, mediœval, and modern philosophy, he does at any rate express himself in modest and intelligible English, and we would gladly put the book into the hand of any foreigner who was desirous of acquiring a good English style, though he might learn more Greek, Latin, and Hebrew from the works of Reid's accomplished commentator. Besides, Reid like Socrates may boast of having brought down philosophy into our ordinary life from the aerial heights of idealism where he found her soaring. No demands are made on our credulity or our incredulity. We are not asked to disbelieve the evidence of our own senses or of other people's. He bases his system on the common convictions of all men, that what we have seen, heard, and our hands have handled must have had a real existence. Of course if the problem proposed were to find a text book for metaphysics generally, which should give a fair insight into the subject, and a review of all great philosophers, ancient and modern, it would be presumptuous on our part to offer a solution. But as, for the pass course in the university of Calcutta, students are only required to master the distinctive doctrines of the Scotch school, we think that we do no wrong in offering the obvious suggestion that they should be obliged to study the works of the founder and Coryphoeus of that school.

In mathematics we believe there is little or no improvement to be suggested. Of course we do not mean to say that the course is absolute perfection, but the text-books are so well chosen, and the Calcutta university has so long had the advantage of the services of mathematicians trained in the rigid and exacting Cambridge discipline, that we may safely say that the natives have every opportunity of making attainments in the exact sciences. There are two baneful tendencies in the native mind, which the study of mathematics is calculated to correct,

Digitized by Google

the tendency to substitute learning by rote for intelligent knowledge, and an exaggerated respect for authority. It is fortunately hard in mathematics to make memory do the work of reason, and to avoid thinking altogether; and though no doubt a native student would prefer citing a learned authority to furnishing a demonstration, we doubt whether by so doing he would satisfy an examiner. We may remark that text * books on particular subjects, expressly written for the use of native students, have begun to make their appearance. From this the best results are to be expected. But we hasten to pass on to a more popular subject.

In history the most casual observer must be struck by the large field embraced. The student who presents himself for a B.A. degree, has travelled over Grecian, Roman, Jewish, Indian, and English history. He is equally familiar with the battle of Marathon, and the field of Flodden; the Cabal, the Gerusia, and the Sanhedrin. An objector might exclaim:—what a vast amount of ill-digested information he must have swallowed! Perhaps this is a pretty fair statement of the case. However *sic placuit deis*, and the students in history have every year to wade through the appointed cram-books to get up the functions of Roman tribunes and Jewish judges, the oppressions of iniquitous harmosts and equally iniquitous major-generals, from pages illumined by no ray of wit, genius, or imagination. The prescribed epitomes are no doubt ably compacted, and are even interesting to people who have read the history before, as they perform for them much the same service which we suppose a rosary does for a devout Roman Catholic. But it is really a subject for serious consideration, whether the object of historical studies is to fill the mind with a long series of facts and fictions; whether a student who has crammed the history of Greece, Rome, and England, is a wiser man than one who has carefully studied Hume and Macaulay, and never even heard of Romulus, much less got up the heads of the argument by which it has been proved that he never existed. However we must remember that a pass course is not an honour course, that its object is not to teach people to think or to feel, but to teach them to remember, and that here at any rate decent mediocrity is to be preferred to enlightened scholarship. Accordingly we pass on to the consideration of the honour course. Against the period chosen for this course, there is one objection to be made, that it

* We may instance a Treatise on Mechanics by Mr. Stephenson, lately Professor of Natural Philosophy and Astronomy in the Presidency College, Calcutta.

Digitized by Google

is so seldom changed. Besides, it is too exclusively English. There are other great European politics besides that of England, though it is apparently not the object of the Calcutta university to let its students into the secret of the French, German, and Italians having had a history of their own, any more than a language or a literature. The period chosen for the honour course is that of the great English revolution. There is something quite crushing in the regularity with which it has hitherto recurred. There is no alternative, no choice. The university says to her most promising historical students, either you must study our period, or we refuse to examine you at all. Perhaps, as you have read an epitome of the history of Greece, you might like to make an acquaintance with the great historian of Greece who has illustrated modern history by ancient, and ancient by modern, in a way that cannot be surpassed; but if you do so, it is a meritorious work of supererogation, for we can take no cognizance of it. Of course the candidate for honours stifles his aspirations and returns to the petition of right. Perhaps he may wish to add Mill to Elphinstone: that privilege also is denied him. There remains nothing for him but the ground well trodden by his predecessors, and the period recurs again with the regularity of a planetary revolution. This monotony we conceive to be the bane of the honour examination in history. However we hear that the subject for honours is at last to be changed. If it is to be changed every two or three years, we hail the announcement with delight. If all that has been done is, that one period has been substituted for another, without any prospect of a future change, we do not see what has been gained. What is wanted is, that the subjects to be taken up should be left within certain limits to the choice of the candidate. For, though we object to the pass students being obliged to read an abstract of the history of Greece, and think that for them the history of England and of modern Europe is more useful, we would not prevent any honour student from presenting himself for examination in the history of Greece and Rome, but we would require him to have an intelligent knowledge of it. And while reviewing the historical works studied in the Calcutta university, we cannot help remarking that one is conspicuous by its absence. We allude to the great work of the historian of the decline and fall of the Roman empire, and of the rise of the great western nationalities. It might be objected of course in a Christian country, that it is not desirable to put into the hands of ignorant youths the work of an author who disbelieved or affected to disbelieve in Christianity. But it could not have so

Digitized by Google

prejudicial an effect on the minds of those who have never affected to believe in Christianity at all. Objections might also be made to the pruriency of some of the notes, though, as Gibbon himself says, it is generally veiled in the obscurity of a learned language. But these objections would not hold against the study of an expurgated edition. At any rate, as the period is an important one, none more so, we may trust that the rejection of Gibbon will not involve that of Sheppard and Amedée Thierry. We may lay it down as an axiom, that if we attempt to give a student in four years a brief epitome of all knowledge, we are sure to fail. If the end in view is to teach him to read and think for himself, this end will be better answered by changing every few years the subject for honours, better still by allowing a student to choose a subject for himself out of four or five prescribed by the university. Nothing facilitates cramming so much as the present system. And, as long as the university course is a highly organized system of cramming, so long shall we hear the present too prevalent sneeers directed against native education.

It will perhaps be thought incredible by those who have never paid any attention to the subject of education, that by the Calcutta university the modern languages of Europe are simply ignored. Yet such is the case. In England people are beginning to think that, after all, French is almost as useful as Latin, and that a boy may have his mind as much enlarged by a six months' study of German, as by six years' labour in the classical languages. Of course, the reaction at home against the exclusive study of the classical languages, like all other reactions, goes too far in the opposite direction. It is urged with some show of truth that a mere facility of chattering French, (though there is no reason why a knowledge of French should not be as real and fundamental as a knowledge of Latin,) is apt to produce a showy and superficial character of mind. But here, where the instruction is avowedly superficial, such an objection can have little weight. If the student is to be examined at all, he will be much more useful in any profession open to him, if he can read a French or German letter, than if he can recite the exploits of Hercules. It is better to aim at small ends and to attain them, than to strive after magnificent results and fail altogether. That the system of instruction at present pursued does not produce men of large and philosophic minds is generally allowed. The Calcutta papers have frequently testified to its meagre results, and who shall say that they are not in a position to judge? But the public would be really benefited, if the alumni of the Calcutta university came

Digitized by Google

forth as well furnished for mercantile business, as a boy does from a German *Handel's-schule.* We do nct wish to force all the hopeful young Bengalees to exchange 'divine philosophy' for French and German and book-keeping, but we submit that such branches of instruction would be more useful to them in the positions which they frequently occupy in after-life. But is modern poetry and philosophy only to be looked for in English? Are not the poems of Schiller and Goethe and the prose of innumerable French authors that we could name, worth all that was ever written in Sanscrit? At any rate the translations made into English from German poetry are worth all the translations made into English from Sanscrit poetry. For of the originals we cannot speak. And why should the literature and history of the great European nations be a sealed book to the educated oriental? Why should he always see the facts of English history and English life refracted through an English medium? The effect on his mind would be far from prejudicial, if he were to see that other great nations which have often stood in an antagonistic position to us, can yet join in applauding the justice of our laws and the wisdom of our political institutions, can love what we love, and hate what we hate. It may be doubted whether the Indian does not reject English thought and English civilization, partly because they are English. At any rate it would be worth while to show him that we have the testimony of foreign, if not hostile, critics, for the excellency of the wares that we are offering him; to convince him that Shakspeare, and Milton, and Locke are appreciated as much by Germans as by Englishmen, that Frenchmen and Italians are influenced by English political ideas. Here we are met by the objection, that there is no time to instruct students in French and German; the subjects are already too numerous. To this we answer. You have time to cram him with historical facts, you have time to give him a taste of antiquarian lore and then to dash the cup from his lips. If, as you say, you have only four years during which you can pour instruction into the mind of a native, why not instruct him in subjects which can be exhausted in that period? Why should not the French language, and the history of England during the last hundred years be substituted for the histories of Greece and Rome? If more time were required, it would be easy to do away with the metaphysical subject of the second year, which is quite unnecessary, as the same ground is gone over again in the third and fourth years. The subjects proposed would be more intrinsically useful, as well as being more capable of being learnt in a short time. Of course it does not sound so well to

Digitized by Google

be able to say, I know the history of England for the last hundred years pretty accurately, and can read a French book with pleasure, as to be able to say, I can tell you all the victories of Pyrrhus, Alexander, Scipio, Hannibal, and Cæsar, (though as I have never read a word of any Greek or Latin author, I have no conception of what a Greek or Roman man really was like;) but, after all, inflation and conceit are not the end of education, though they may sometimes be the result.

Much has been written and talked in England lately about putting the study of the physical sciences on a level with that of Latin and Greek. Both the universities have been, though with rather bad grace, forced to open their doors to admit this unwelcome intruder. At Oxford, the 'retrograde university,' much more has been done than at Cambridge. But at both this branch of knowledge has been able to establish itself. Natural philosophers and men of the world have suggested that it ought to be preferred to the time-honoured classics and mathematics, or at any rate put on an equality with them; even those who have been trained in the older branches of learning, have been heard to whisper to one another that they have spent their labour for nought, that botany and geology and mineralogy are destined to dethrone Thucydides and Aristotle in English education. This class of men have been lately a little reassured by the answer given to the public schools commission by the accomplished headmaster of Rugby, who, as being equally familiar with literature and science, is well able to pass judgment on such a point. At any rate, in the conservative universities of England the time is far distant when this younger candidate shall have usurped the place of her elder sisters, though she can no longer be altogether excluded from notice. Nevertheless, some are found to say that the physical sciences are as good a training for the youthful mind of England as can be found, while they are unequalled as presenting us with a series of facts bearing directly upon our daily life. And it might be urged in support of this view that all the progress which has been made of late years in philology and criticism has been made by importing into these subjects the method which is the glory of the physical sciences. To this it is owing that in these enquiries observation and experiment have taken the place of hypothesis and conjecture, that even philologers and critics have descended from the cold and barren heights of *a priori* speculation, and are content, instead of showing how things ought to be, to look and see how they are. At any rate, whether this is the case or not, those sciences which have given man such a command over nature, which have lengthened

Digitized by Google

the duration of human life, and infinitely increased its comfort, the tale of whose bloodless triumphs surpasses in interest the story of any of the earth's numerous conquerors, is sure from this time forward to command due attention. Consequently, at no university of modern foundation should we expect to find physical science put in the background. And in India we can scarcely offer any more valuable instruction to the natives. For in nothing does Europe surpass India so much as in physical science. Literature and philosophy are to a certain extent matters of taste. An oriental may prefer the gorgeous imagery of the East to the simplicity of the West, he may consider that, though freewill is the doctrine for the philosophers of Europe, where man is more than a match for nature, fatalism is the doctrine for a country, where nature was until lately all powerful. Accordingly, we find that the university of Calcutta has most wisely included these sciences in her course. But somehow or other they do not seem to have taken much hold on the native mind. We hear of plenty of lectures on intuition, but of few on electricity. But, if the native mind is averse to patient induction, if physical science grates harshly on their prejudices, and mars the rotundity of their systems, that is all the more reason for making it now the very staple of their education, though it may not have been so formerly. And here we think that we cannot do better than transcribe the words* of Archdeacon Pratt:—

'I am deeply persuaded both from experience and observation, 'that the establishment of professorships of experimental phi- 'losophy would be of inestimable value to the youth for whom 'the university of Calcutta is designed. I attribute very 'largely to lectures with experiments, attended by me in my 'boyhood and youth, the formation of any clear and correct con- 'ceptions I at present have of the principles of mechanical phi- 'losophy, and the capacity for apprehending the real points of 'difficulty in any new problem in physics. And observation 'of the character of the youth of this country, during repeated 'examinations of the first classes of government and other 'institutions in past years, convinces me that experimental 'lectures on objects are the great desideratum in the present 'course of secular education.'

It was certainly not by by 'observation of the character of 'the youth of this country,' that the accomplished vice-chancellor of the university of Calcutta was led to hazard the

* Papers connected with the question of erecting an University Building and establishing University Professorships and Scholarships. (Calcutta: Bishop's College Press, 1862,) page 51.

Digitized by Google

prophecy, that in the presidency of Bengal physical science and the physical method, by which he has himself revolutionized the philosophy of law, were destined to cast into the shade all other sciences and methods. As Dr. Duff* says, the tendency of the Indian mind is too 'subjective and metaphysical,' too apt to indulge in 'dreamy abstractions and intangible profitless 'speculations'! for them ever to tread with ardour the firm ground of induction. It is hard to say what the university of Calcutta can do more than it has already done, unless indeed the prelectorships which we have proposed be consecrated to the advancement of physical science. And certainly we never meant to suggest that men should be sent about Bengal to disseminate the doctines of Fichte and Hegel among the natives. Their own indigenous spiders have spun them cobwebs enough and to spare. But we think that the benefaction of Mr. Prem-Chund Roychund could hardly be put to better use, than in supporting a body of itinerant scientific teachers, and providing them with the necessary apparatus. It is not to be supposed that scientific and religious error would long stand their ground against the irrefutable ocular demonstrations of chemistry. Physical science, which has conquered nature in India as in England, would soon issue triumphant from the contest with Hindoo superstition and Mahometan bigotry.

In an interesting article † which appeared two years ago in *Macmillan's Magazine*, Mr. Matthew Arnold, the professor of poetry at Oxford, gives an account of a French lyceum at Toulouse. From this it appears that in these French colleges what we may call a system of bifurcation is pursued. When the student has passed a certain point in his university career, he is allowed to choose to which branch of study, literature or science, he will devote himself. The obvious advantage of this system is, that, while every boy has a superficial grounding in many subjects of which an English public school boy knows, or ten years ago knew nothing, there is left open to any diligent student the opportunity of acquiring a really valuable knowledge of literature or science. It thus unites the good points of the English university system, which really does turn out accomplished scholars and thoughtful men, (though it leaves the indolent entirely to themselves, and refuses to provide any man who cannot digest Latin and Greek scholarship or the exact sciences with any intellectual pabulum at all,) with the advantages of a course of study similar to that prescribed by

* *Ibid*, page 38.

† Since republished, we believe, under the title of a French Eton.

Digitized by Google

the university of Calcutta. At the same time it is not open to the objections which might be brought against the latter course, that its tendency is to stifle the aspirations of superior ability, and to produce a dull and uniform level of mediocrity. We have for some time been obliged to admit in England, that as far as the mere function of instruction goes, our universities are inferior to those of Germany. We cannot pretend that those time-honoured institutions, which are at the same time aristocratic clubs and places of instruction, turn out men of learning equal in acquirements to a German *Gelehrter*. But few men, who did not possess an intimate acquaintance with France, would have been inclined to admit, that in high-class-education we had anything to learn from our lively neighbours. But Mr. Matthew Arnold has shown that the government lyceums of France provide at a very cheap rate a course of instruction equal if not superior, to that given by an English public school. It is of course not fair to compare a French lyceum with an English university, because a student leaves the former little after he is qualified to enter the latter place of instruction. Mr. Matthew Arnold thinks that in England we have much to learn from the French system; we venture to suggest that we have even more to learn in India. Some such system will have to be adopted in the university of Calcutta, if it is ever to satisfy two requirements, one, the want which the public feels of young natives well grounded in popular and practical subjects, the other, the craving which the native mind itself is beginning to feel for deep and solid knowledge.

One of the principal subjects of instruction in all colleges in India must always be the English language and literature. Indeed, it is often the case, that with the lower years in the government colleges, a lecture on philosophy is at the same time a lesson in the English language. It is a melancholy fact, but of course to be expected, that boys will be sent to the colleges very ignorant of literary English. It would be a great advantage if some remedy could be devised for this. It may seem illiberal to suggest that it would be better, if the time spent in the study of the native classics were spent in learning to spell English correctly. However, we have already committed ourselves to this opinion. But we fear that until people are agreed that the study of the native classics is not, for a native, education in any sense of the word, we must expect to find that time has been wasted in Arabic or Sanscrit, which might, if applied to English, have borne golden fruit. Nevertheless, it is of no use blinking the fact, that, until the literary language of the upper class of natives is English, we cannot

Digitized by Google

expect to find them imbued with European thought, or sympathizing in the progress of those whom it is the fashion to call their Aryan brethren. If it is impossible to send a boy up to a college, able to express himself correctly in English, it is impossible to give any native a liberal English education. And yet it must be of the greatest importance to secure in this country a body of highly educated natives, able to understand the aims and motives of their European rulers.

It is a feature worthy of remark, that, in the selection of subjects of examination in English literature, many of our great English classical authors are passed over in favour of writers who are more eminent for piety than genius. We observe that Pollock's Course of Time, a composition worthy of being placed on the same shelf with the proverbial philosophy of the immortal Martin Tupper, was one of the subjects of examination for the year 1863. This is evidently a trace of the same peculiar bias for uniting Christianity and dullness, which has so long upheld Dr. Abercrombie's work as a text-book in metaphysics. If the natives are to learn Christianity in our colleges, let them learn it from Milton and Jeremy Taylor, not from Pollock and Todd. The fact seems to be, that, if the people, who choose the text-books and the subjects of examination, were also the people who have to teach them, the choice might not be more judicious, but it certainly would not be the same. And this is a point in which the system, adopted in India, differs not for the better from that pursued in *England. Of course, the old objection can always be revived that great results have been achieved, and we shall be referred to the educated Hindoo as he is, as the limit of human progress. No doubt, very great results have been achieved, but it is to a great extent, in spite of the system, not owing to it. It is because the teachers are painstaking, and the pupils intelligent and eager for information, that the native mind has made such progress. We are obstinate enough to believe that many of the text-books, employed in the Calcutta university, are not as good as they might be, and that, if such great results have been achieved under the present system, still greater are to be expected from an improved one.

In connection with the subject of English literature, we may mention, for the benefit of those of our readers who have not seen it, that there is a magazine published by some of the students of the Calcutta university. One of the Calcutta newspapers has found food for merriment in this publication. By another it has been reviewed in a more enlightened and generous

* We speak merely of Oxford and Cambridge.

Digitized by Google

spirit, though it would be hard indeed to pass over altogether the extravagancies of thought and style which are apparent on every page. Such magazines,* with a few brilliant exceptions, are not usually successful in English schools or colleges. The fact seems to be, that the more promising members of these institutions are preserved by their own common sense from confounding seed-time with harvest, and consequently do not devote much of their time or energies to that kind of composition. However we gladly hail the criticism to which we have alluded, as a proof that, in the higher education of natives in this country, there is yet much improvement to be made. At the same time, we must confess that we were ourselves astonished, not so much at the badness of some of the articles which have appeared in the magazine, as at the high promise displayed in some of them. And, though we should be sorry to see the students of any Indian college desert their regular studies to devote themselves to this ephemeral literature, we think that writing in magazines of this kind may supply a very useful kind of training, and that they should be encouraged as much as possible in what perhaps would be called in this country a demi-official manner. In no element are Indian colleges so deficient as in that which is the most important one in all their prototypes in England, the education which the students derive, not from their teachers, but from one another. Of course, the peculiar features of Indian society precludes, to a great extent, the successful working of essay societies or debating societies among the students. But something might be done in this direction by the university authorities. It is worth remembering that no less a man than Mr. John Stuart Mill has borne testimony to the fact, that the English universities have in one point degenerated from what they were in the middle ages. He considers that in those times of darkness, the continual disputations carried on in the halls of all colleges, both in England and on the continent, gave men a dialectical power and a faculty of looking at a question from both sides, which we have lost in England in these more enlightened times. We apprehend it to be the case that, although the college disputations and declamations have, in most of our halls, either died out altogether, or degenerated into mere formalities, the decay of these regularly appointed contests has been more than compensated by the vigorous gymnastic of the debating societies at Oxford and Cambridge. That many a man derives more practical advantage from the union than from the lecture-room

* We might instance perhaps Knight's Quarterly Magazine.

Digitized by Google

is indisputable. It not unfrequently happens that a man passes from the union of Oxford or Cambridge to a more august assembly, and acquits himself* very creditably. Though, perhaps, it is the case that the Indian under-graduate will not take very readily to a debating society, it might be very beneficial if those, who superintend his education, were to take a leaf out of the book of the middle ages. We would not of course oblige a Bengali to dispute in Latin, but it would be a useful exercise for the young student of English to be prepared to declaim once a term a speech of Burke or Macaulay, or a passage from Walter Scott or Byron. No doubt, there would be no lack of audience, and, to people sufficiently familiar with the native languages, it might be not uninteresting to hear a thesis attacked and defended in high flown Oordhoo. The same intellectual exercise might be equally profitable, and not less entertaining, if carried on in English. At any rate if our English universities may be pronounced defective, because there are not enough public recitations, enforced by academical authority, we cannot boast that the universities of India have in this point improved upon their model. And yet the supplying of this slight defect in the university course would require no considerable alterations or additions to be made.

No comparison between the English and Indian systems would be perfect, if we were to leave out of sight the peculiar system of private instruction, which, though not recognized by the English universities, has grown up side by side with the lecture system, resting on no other ground than that of its evident utility. At Cambridge it is an axiom that a man, who reads mathematics, cannot dispense with the services of a *coach*. In India the so-called professor is expected to perform the functions of a *coach* also, to answer any questions proposed to him, and to be a general explainer of all difficulties and resolver of all doubts. However, as it is very difficult for an Englishman to enter, as Mr. Kerr remarks, 'into all the vagaries of the 'native mind,' it is not to be expected that a professor can ever perform these duties to his own satisfaction. We do not see why those prelectors, whom we have proposed to create, should not also perform the functions of private tutors recognized by the university. A native *Privat-docent*, who had really mastered some science, and was familiar with the English language, would be able to put those truths which he had thus acquired, into a form which would prove attractive to the native

* As a recent instance we might name the successful debut of Mr. Butler Johnstone.

Digitized by Google

mind. Then we might expect to see the spirit which Indian officialism has not as yet succeeded in creating, begin to animate those mediæval forms which have been borrowed from the universities of England and Scotland. And, as it is not probable that the salary and status offered by the educational department will any longer attract competent men from home, it would not be a bad policy for the governing authorities of the university of Calcutta to provide themselves with a substitute in the shape of a body of trained native instructors, out of whom to choose their future principals and professors. Mr. Kerr, who was for some time principal of Hooghly college, writes as *follows :—

'It is a frequent subject of complaint and of regret to all 'true friends of native education, that our students, on leaving 'the college, where they have been educated, are apt to forget 'what they have learned. The process of forgetting is in some 'cases extremely rapid. A remedy, to a certain extent, for this 'evil, may be found in the institution of fellowships, tenable 'for a certain number of years, and subject to the condition 'that the holder shall perform certain prescribed duties in the 'college during that period. A fellowship-holder might be 'very usefully employed in teaching under the direction of 'one of the professors a class or section of a class of the 'college department, and in assisting whenever required, in 'examining exercises.'

It is of course no integral part of the scheme which we advocated at the beginning of this article, that the fellows should be all itinerant prelectors. Indeed, we would only compel those elected for proficiency in physical science to travel. Some fellowships might be devoted to the maintenance of educated natives, who should be, as Mr. Kerr proposes, professors in some government college. At any rate, they might be obliged, while holding fellowships, to study themselves, and to give instruction to under-graduates, with the hope held out to them of ultimately obtaining professorships. It would be some satisfaction to know that some small percentage of the graduates of our colleges were removed, for some hours in the day, from the influence of uneducated companions, and from the degrading and superstitious associations of their own homes, and refreshed by the healthy stimulus of European literature and science.

In conclusion, we may remark that we do not wish it to be supposed that we have advanced the preceding criticisms and

* Review of Public Instruction in Bengal, page 115.

Digitized by Google

suggestions in any spirit of censoriousness. It is not for those who are not fully acquainted with the intricacies of the native mind to criticize, with any confidence, schemes which have been devised by men familiar with oriental manners and modes of thought. Still less do we wish it to be supposed that we do not rate, at a high value, the great progress which has been made in native education. But we think that, by the majority of our countrymen in India, too little importance is attached to it. By one most estimable and self-denying body of men, its importance will never be undervalued. The working missionary of India must know full well, that *Christianizing the native, without educating him, is like making bricks without straw. But the education of India can never be altogether in the hands of missionaries, certainly not the higher education. Much of their time is necessarily reserved for duties more important still. Consequently, it must be in the hands of officers appointed by the State, and much of its efficiency must depend upon the interest taken in it by the general public. If we have contributed, in any way, to stimulate or increase that interest, these few crude suggestions will not have been offered in vain. We may safely leave it to those who are qualified by experience to judge of their practicability, to accept, modify, or reject them.

* In the Southern States of America, where it is penal to teach a negro to read, the Christianity of the slave population is said to be nothing more than an improved kind of fetichism.

Digitized by Google

ART. III.—1. *Inde, par* M. Dubois de Jancigny, Aide-de-Camp du roi d'Oude, *et par* M. Xavier Raymond, Attaché a l'ambassade de Chine. Paris, Firmin Didot Frères, 1845.

2. *Nouvelle Biographie générale depuis les temps les plus reculés jusqu'á nos jours.* Paris, Firmin Didot Frères, 1861.

3. *The Modern part of an Universal History, from the earliest accounts to the present time, compiled from the original authorities.* London, 1781.

4. *A History of the Mahrattas,* by James Grant Duff, Esq., London, Longmans, 1826.

5. *Carnatic Chronology.* By Charles Philip Brown, late of the Madras Civil Service. London, Bernard Quaritch, 15, Piccadilly.

6. *Histoire Générale de l'Inde, Ancienne et Moderne,* par M. de Marlès, Paris, 1828.

OF the five great European maritime powers of the sixteenth and seventeenth centuries, France was the fourth to enter into the race for commercial communication with India. The fifth power, Spain, never attempted the contest, and Portugal, Holland, and England, had reaped considerable benefits from their enterprise before the attention of the French people had been sufficiently attracted to the trade. Nevertheless, though the last to enter upon the venture, though entering upon it after the three powers we have named had obtained a firm and solid footing on the soil, the genius of the French people asserted itself in a manner that speedily brought them on a level with the most securely planted of their European rivals. The restless action that had made the France of the seventeenth and eighteenth centuries the fomenter of disturbances in Europe soon found in India a wide field for its display, whilst the ambition that had urged her most famous monarch to dream of universal dominion in the West, began before very long to form plans for the attainment of a French empire in the East. It was a French statesman who first dared to aspire to subordinate the vast empire of the Mogul to a European will. It was a French statesman who first conceived the idea of conquering India by the aid of the Indians,—of arming, drilling, and training natives after the fashion of European soldiers, thus forming the germ of that sepoy army which has since become so famous. They were French soldiers who first

Digitized by Google

demonstrated on the field of battle the superiority of a handful of disciplined Europeans over the uncontrolled hordes of Asia. As we contemplate indeed the great achievements of France on the soil of Hindostan; as we read the numerous examples of the mighty conceptions, the heroic actions, the mental vigour, and the indomitable energy displayed there by her children, we cannot but marvel over the sudden destructions of hopes so great, of plans so vast and deep laid. There may be, indeed there always are, many excuses for ill success. Sometimes failure is to be attributed solely to the superior skill, genius, and force of character of an adversary. Sometimes, the hostile intervention of a third party, or his failure to keep engagements made with a principal, tends to the same result. But there are other fluctuating causes, which are often more influential still. An attack of dyspepsia prevented the annihilation of the Russian army at Borodino, and thus caused the annihilation of the soldiers of Napoléon in the snows of Russia. A careless movement on the part of Marshal Marmont, induced by a feverish desire to monopolise to himself the glory of expelling the English from Spain, brought on that battle of Salamanca which was the turning point of the Peninsular war. The storm on the night of the 17th June materially affected the movements of the French emperor at Waterloo, and contributed greatly to the actual result of that terrible battle. The misdirection of a despatch brought on the battle of Navarino; and it is believed in Vienna that the accidental absence of the Austrian general from his post alone prevented the capture of Napoléon III. at Magenta. There are thus many causes, some natural, some dependent on the constitution of an individual man, some not to be foreseen and in no way to be calculated upon, which affect the fortunes of a people. It is not that all the genius, all the strong character, all the valour, are on the side of the conquerors. Genius indeed has been compelled to succumb to a combination of incidents apparently insignificant, and impossible to have been guarded against. There suddenly appear, when least expected, influences, apparently so small, and yet really so powerful, that all calculations are upset, and we are compelled to acknowledge the might of that Providential superintendence, which, working with its own instruments and for its own designs, fashions and directs the destinies of nations.

Notwithstanding this theory, there is always, when comtemplating the results of the action of men, a great deal that is to be accounted for and explained on natural grounds. The character of the governing or directing body as a body, and the characters of the instruments used to carry out

Digitized by Google

their policy, are sufficient to explain many of the consequences. And it is in this respect that the history of the French in India presents a most interesting and instructive lesson. That lesson is interesting, because the great deeds of great men always charm and excite the imagination: it is instructive, because we have in it a great deal of individual action, and a great insight into individual character. The scene is laid at such a distant period from the present, that we have the actors before us conducting their skilful intrigues and engaged in their complex negotiations as they were at the time, and we have in addition now, what we had not then, a clear view of the motives that prompted them, of the causes that urged them on. So rich in detail is this eventful period that the history possesses all the interest and excitement of a romance. Yet in no romance that was ever penned did any of the characters dare to entertain such widespread and deep-laid schemes as were cherished by many of the actors in this real scene. And it is yet another peculiarity of this eventful history that the actors in it did not only dare to conceive, but they brought their vast plans to the very brink of success; they failed too, only to let those plans fall into the lap of another and a rival nation, which, bewildered by their vastness, long refused to entertain them, and only consented at last, when the force of events had convinced them that there was no middle course between the prosecution of those plans and their own destruction.

It is strange that this story, with all its wonders, has almost faded away from the tablets of history. There exists indeed a record, published in the last century, of the facts connected with the rise and progress of the French East India Company, but since its appearance a flood of light has been shed upon events which were then dark and mysterious. Yet even this record has been almost a sealed book to the present generation. Glimpses of the deeds accomplished by the French on Indian soil are occasionally to be found in old accounts of famous voyages, in forgotten French histories of India, and more recently in those English histories which are devoted to the glorification of the triumph of our own countrymen. Occasionally too, in some old biographic memoir, or in the notes to some graver history, we meet with curious accounts of men, who, when their prospects as a nation had been annihilated, strove, and strove earnestly, in the service of native princes, to prevent the development of the fortunes of their successful rivals. We have sometimes wondered why a more modern history of this eventful episode has never been undertaken by the French. It cannot be because a brilliant career culminated in disaster. It was a

Digitized by Google

disaster which at all events reflected no descredit on the soldiers of France. What discredit there was is directly to be imputed to the effete administration of the most effete and degraded representative of a house which France herself has expelled. We believe it is rather due to the fact, that the mighty gulf of the French revolution intervenes between the times of which we are writing and the present; that the military history of modern France begins with the wars of 1792; and that however much France may regret that the great Eastern prize did not fall into her hands, she cares little for the details of a struggle which occurred before the period at which she conquered the great nations of the continent, and constituted herself, for a time, mistress and arbitress of the greater part of Europe.

We have stated that three of the maritime powers of Europe had effected permanent settlements in India, before the attention of France had been sufficiently attracted to the advantage of the trade. That this was so was attributable far more to the distractions of her government, than to any want of enterprise on the part of the French people. A period in which foreign wars alternated with civil dissensions, was certainly not favourable to fostering commerce with far distant countries. Yet, despite the turbulence of the period, and the inherent vice of their government, the desire for Eastern traffic displayed itself at a very early period amongst the French. In the reign of Louis XII. in the year 1503, two ships were fitted out by some merchants of Rouen to trade in the Eastern seas. But it is simply recorded of them that they sailed from the port of Havre in the course of that year and were never afterwards heard of. The successor of Louis XII., King François I., issued to his subjects, in the years 1537 and 1543, declarations in which he exhorted them to undertake long voyages, and placed before them the pecuniary and national advantages which would result from their following his counsel. But the records of the reign of François are filled with accounts of exhausting wars, and it is owing probably to this cause that we do not find that his wishes in respect of distant navigation were attended to. Probably the constant civil dissensions which occupied the reign of Henri III. neutralised any effect which an edict of his, to the same effect as those of his grandfather, dated 15th December 1578, might have had in less troublous times. The peaceful and prosperous reign of Henri IV. opened out however new prospects. On the 1st June 1604, a company was established under the king's letters patent, granting it an exclusive trade for fifteen years. But, though the services of Gerard Leroy, a Flemish navigator, who had already made

Digitized by Google

several voyages to the Indies in the employ of the Dutch, were engaged, disputes amongst the proprietors, and the paucity of funds, hindered the action of the company, and the design came to nothing. Seven years later, however, the project was renewed under Louis XIII., but owing to the same causes, nothing was undertaken during a period of four years. But in 1615, two merchants of Rouen, disgusted with the inactivity of the company, petitioned the king for the transfer to them of the privileges accorded to it, expressing at the same time their readiness to fit out ships that very year. This petition was opposed by the company. The king however, after hearing the arguments on both sides, decided in favour of a coalition between the contending parties, and, on this being effected, he issued (2nd July 1615) letters patent conferring the former privileges on the thus united company.

This company quickly proceeded to action. In the following year (1616) they fitted out two ships, the command of the larger of which was given to Commodore de Nets, an old naval officer, and of the smaller to Captain Antoine Beaulieu, who had already made a voyage to the coast of Africa. Of the expeditions to the Indies Beaulieu has written an interesting account. The first one, though not in itself to be called positively successful, was yet deemed so in that age, inasmuch as it was not absolutely a failure. It appears that the navigators met with considerable opposition from the Dutch at Java, and as there happened to be a considerable number of Dutch sailors amongst their crews, they were considerably inconvenienced by an order of the president of the Dutch possessions, by which all servants of the republic were required instantly to leave the French vessels. This necessitated the sale of Beaulieu's ship, and the transfer of himself and the remainder of the crew to that commanded by Commodore de Nets. They succeeded so far however, in their trading negotiations, that notwithstanding the loss of one ship, the voyage was not financially a failure.

Encouraged rather than deterred by the result of this first effort, the company equipped another expedition of three ships in 1619, giving the chief command to Beaulieu, whom they created commodore. The names of the ships were the *Montmorenci*, of 450 tons, carrying a hundred and sixty-two men, and twenty-two guns; *L'Esperance*, of 400 tons, carrying a hundred and seventeen men, and twenty-six guns; and *L'Hermitage*, an advice boat, of 75 tons, thirty men, and eight guns. They were all victualled for two years and a half. This expedition sailed from Honfleur on the 2nd October 1619, and after a prosperous

Digitized by Google

voyage reached Achen in the island of Sumatra. At Java,—whither they subsequently proceeded,—Beaulieu had the misfortune to lose one of his ships,—*L'Esperance*,—not without strong suspicions, amounting in his mind to conviction, that it had been sunk by the Dutch. But, whatever the immediate cause, it is certain that she foundered off Java with all her crew on board, and a cargo valued at between seventy and eighty thousand pounds sterling. After experiencing this loss, Beaulieu returned to Havre, and arrived there, with his vessel well laden, on the 1st December 1620.

For upwards of twenty years after this second attempt to open out a trade with the East the company effected nothing. A few desultory efforts, by individual traders, to make a settlement in Madagascar, produced no definite result. The powerful minister, who then virtually ruled France, was occupied during the greater part of his tenure of power in firmly establishing his master's authority over the resisting nobles, and he could ill spare any considerable portion of his time to foster large commercial undertakings. In 1642 however Richelieu was master; he had triumphed over every enemy, and he at once addressed himself to the revival of commercial intercourse with the East. Under his auspices, a new company was formed, for the avowed purpose of trading to the Indies. Letters patent, dated the 24th June 1642, accorded to it exclusive privileges for twenty years, and its directors, designating it 'La Compagnie des 'Indes,' began to make serious preparations to justify their right to the title. But their first ship had scarcely started on its expedition when Cardinal Richelieu died. Whether it was owing to this cause, to the ignorance and inexperience of the directors, or to the want of proper appreciation on the part of their agents, it seems scarcely possible to ascertain, but this is certain, that the first measures of the company were signalised by little prudence. Instead of directing the course of their ships boldly to the far East, and thus following the example of their maritime rivals, the French company resolved to devote all their energies to the development of the large and fertile island of Madagascar.

Madagascar, originally discovered by Marco Polo in 1298, and subsequently lost sight of, had been re-opened to European enterprise by the Portuguese under Lawrence Almeida in 1506. It was visited the following year by a Portuguese squadron under Tristan da Cunha, but that celebrated navigator, after a minute examination of the topography of the place, the customs of the inhabitants, and the productions of the soil, thought it inexpedient to form a settlement there, and continued his voyage

Digitized by Google

eastward. Two years later however the Portuguese government resolved to form a post on the seaboard of the island. A settlement was accordingly made on its northern part, but those who formed it had been massacred by the inhabitants before the period of the French expedition of 1642.

The first French vessel equipped by the French India Company reached Madagascar in the beginning of 1643, and landed at a point some five and twenty miles from the site of the old Portuguese settlement. Their landing was opposed, though ineffectually, by the natives of the country. They forthwith attempted to carry out a regular scheme of colonisation, and to this purpose they devoted all the resources of the Company. They soon found however, as the wise Tristan da Cunha had foreseen, that, though in appearance rich and fertile, the soil of island could not produce, in any great quantity, those articles which entered the most into European consumption. When they began to make inroads into the interior, they found still greater difficulties awaiting them. They came in contact then with a numerous and warlike race, detesting strangers, determined to hold no communications with them, and preferring savage freedom to foreign domination. By these the French settlers were received, from the very outset, with marked hostility. Not content with repulsing every effort of the French to penetrate into the interior, the inhabitants, gaining boldness from success, assumed the offensive, and began in their turn to attack the wretched wooden stockades which the colonists had erected with infinite labour and expense, and had dignified by the name of forts. So numerous were the islanders and so determinately hostile, that the French experienced very great difficulty in offering to them an effectual resistance. The time and the labour employed in so doing drew them away almost entirely from cultivation, and though they were ultimately successful in defending their forts, it was a success which was as costly as a defeat, for it sunk all the large sums which had been expended on the enterprise without the chance of a return. It is surprising that under these circumstances, and though the French India Company relinquished their claims to the island in1672, the government should have continued to maintain their hold of the forts on the seaboard till 1740, in which year Madagascar was definitively abandoned.

The ill-success of this enterprise was not, however, at once recognised in France, although for a time all desire for a renewal of the effort appeared to languish. The long minority of Louis XIV., the ministry of Cardinal Mazarin, with its wars of the Fronde and its contests with Spain, were not favourable to

Digitized by Google

commercial enterprise. Mazarin however died in 1661. His successor, Colbert, was one of those men who stamp their name on the age in which they live. Colbert was one of the glories of France. Born in the middle rank of life, the son of a merchant, himself educated as a banker, and having, in that capacity, been charged with the management of the affairs of Cardinal Mazarin, he had gained so entirely the confidence of that minister, that, on his dying bed, the Cardinal recommended him to his master as a man of immense capacity, strict fidelity, and unwearied application. Colbert succeeded him, first only as controller of finances, but not long after he was invested with the entire administration of the country. Under his guiding hand, France quickly assumed a position such as she had never before held in Europe. The finances, commerce, industry, agriculture, art, all felt the impulse of his strong will and firm direction. He made the French navy. In a few years after his accession to power, there were a hundred vessels of war, and 60,000 sailors inscribed on the rolls. He created the naval ports of Brest, Toulon, and Rochefort; he bought Dunkirk from the English, and he commenced Cherbourg; and 'binding together industry, commerce, 'and the marine in one common future, he founded French 'colonies to assure outlets to industry and commerce, and an 'employment of the navy in time of peace.'

Colbert had been neither blind nor indifferent to the great advantages which had accrued to the Portuguese, the Dutch, and the English from their possessions in India, and he made it one of his greatest objects to encourage the formation of a grand company, somewhat on the English model, to open out a regular traffic with that country. He held out to it promises of the strongest support of the administration. He offered it a charter granting it the exclusive right of commerce with India for fifty years; it was to be exempted from all taxation; and the government agreed to engage to reimburse it for all losses it might suffer during the first ten years after its formation. On these conditions, in the year 1664, the French 'Compagnie des Indes' was formed. Its capital was 15,000,000 'livres tournois,' equivalent to about £600,000; but as, even under the conditions mentioned, the entire sum was not subscribed for, a fifth of the amount, 3,000,000 livres, was advanced by the treasury. This example had a great effect upon the nobility and rich courtiers; and these at once became eager to join an undertaking which the government seemed to cherish as one of its most favoured projects.*

* Louis XIV. himself, under the influence of Colbert, endeavoured to reconcile his nobility to a participation in the enterprise, by declaring that trade *to India* was not derogatory to a man of noble birth.

Digitized by Google

The prospects of the company on its formation were thus brilliant. Starting under the auspices of a monarchy which had not attained the height of its power, but was then fast rising up to it, which, in its capabilities for offensive operations and for the display of real strength, contrasted favourably with the other European states, this company seemed to require but firm and steady direction to become a great success. Nevertheless its first movements were neither well considered nor fortunate. Hampered by the recollection of the attempt made in 1642 upon Madagascar, which still held out more attractions than the unknown Indies, and their judgment influenced by the knowledge of the fact that some portion of the seaboard was still held by Frenchmen, the directors of the new company conceived the idea that by transporting simple colonists to that island, they might yet realise some of the results of the labours of their predecessors. Their first expedition was accordingly directed to Madagascar. On the 7th March 1665, four large ships, equipped for war as well as trade, and carrying five hundred and twenty men, sailed from Brest harbour, and reached Madagascar on the 10th July following. The first act of the colonists was to change the name of the island from St. Lawrence, as it had been called by the Portuguese, to Isle Dauphine, in honour of the heir apparent, then four years old. It proved to be but a poor compliment to the Dauphin. They soon discovered that, instead of profiting by their predecessors' mistakes, they had themselves fallen into those predecessors' errors. The new colonists, like those who went before them, found that their labour was hindered by three causes, by climate, by the nature of the soil, and by the hostility of the natives. This last mentioned cause produced yet another, for it necessitated to the unfortunate emigrants constant exposure and constant fatigue. To such an extent did they suffer, and disclose by their sufferings the hopelessness of the undertaking, that the company, although for a long time they continued to reinforce the colonists with supplies of men, resolved ultimately to give up all thoughts of permanently colonising Madagascar, and to divert their energies to another quarter. They were quickened in this resolve by the action of the natives, who succeeded in 1672, in surprising Fort Dauphine and massacring the majority of those who were within its walls. Of the baffled colonists, some proceeded ultimately to India, others however contented themselves with formation of a small settlement in the island of Mascarenhas, lying with Cerné a little to the east of Madagascar. These islands, under the names of the Isles of France and Bourbon,

Digitized by Google

and again as the Islands of Mauritius and Réunion, have since become well known. The Isle of Mauritius or Cerné had been early discovered, and as soon abandoned, by the Portuguese; occupied in 1598 by the Dutch, who, in honour of Prince Maurice of Nassau, called it Mauritius; abandoned by them at some time between the years 1703 and 1710; and occupied later, between that period and 1719, by the French, who changed its name to the Isle of France. Bourbon or Mascarenhas, called so from after a Portuguese nobleman, was absolutely desolate when the French first occupied Madagascar, but in 1654 eight Frenchmen and six negroes emigrated to it from that island, but deserted again four years later. The island continued uninhabited till 1672, when, on the subversion of the Madagascar settlement, an inconsiderable number of the colonists took possession of it, and became the nucleus of a settlement which was one day to be powerful.

But the French India Company had not wasted all its resources in their attempts on Madagascar. In 1666 another expedition was fitted out, and the command of it bestowed upon one François Caron, a man who possessed at that time considerable reputation for his experience in Eastern undertakings. Caron, though of French origin, had been born in Holland, and he had spent many years of his life in the service of the Dutch republic. At a very early age he had obtained a situation as a cook-mate on board a Dutch man-of-war bound for Japan; but during the voyage he showed such intelligence that he was promoted to the post of chief steward. This office gave him a little leisure which he devoted to the study of arithmetic. On the arrival of the vessel at Japan, he at once made it his study to obtain a knowledge of the language of the country. Having acquired this knowledge, he was able to make almost his own terms with the agents of the Dutch company in that country, and he was soon appointed a member of the general council of administration, and director of commerce. But, little satisfied with this, he applied for a post of still higher importance in Batavia.* He was refused. Whereupon, Caron, listening only to his anger, abruptly resigned his appointment

* It is stated by some authorities that, when Caron was in charge of the Dutch agency at Japan, he made an audacious attempt to establish himself on the coast. Having ingratiated himself with the king, he obtained permission to build a house close to the Dutch factory. Knowing the Japanese

Digitized by Google

under the Dutch, and tendered his services to Colbert. Colbert closed eagerly with the offer, and Caron, soon after, received letters patent nominating him director-general of French commerce in India. Associated with Caron, was a Persian named Marcara, a native of Ispahan, from whose local knowledge of India many advantages were anticipated.

The expedition sailed from France in the beginning of 1667, and made a fair voyage to Madagascar. But, on arriving there, Caron found the French establishments on the coast in a condition so deplorable, and the prospect of being able to effect an amelioration so discouraging, that he determined not to waste any of his resources in the attempt, but to proceed at once to India. He directed his course accordingly towards Surat, a place which the enterprise of the other maritime powers of Europe had made familiar to traders to the East. On the 24th December he touched at Cochin, where he was well received. Thence he continued his voyage, reached Surat in the beginning of 1668, and established there the first French factory in India. The negotiations into which he entered were at first very successful. A very valuable cargo was quickly transmitted to Madagascar. And this result was no sooner known in France, than, as a reward for his exertions, and possibly to incite him to others, the king at once conferred upon Caron the riband of St. Michel.

In the following year an extension of their operations was resolved upon. Marcara was directed to proceed to the court of the then independent king of Golconda, with the view of obtaining from him the privilege of trading throughout his dominions, and of establishing a factory at Masulipatam. To obtain this Marcara had not only to fight his way through those obstacles peculiar to an oriental court, but he had to meet also the opposition of the English and of the Dutch. However he triumphed over all obstacles, and on the 5th December 1669, obtained a firman which permitted the French

---

to be ignorant of fortification, he built this house in the form of a tetragon—made it, in fact, a regular fortification. He then applied to the governor of Batavia to send him along with casks of spices, casks of the same size containing guns, and filled up with cotton or oakum. This was done, but, unfortunately for Caron, in rolling the casks up the beach, one of them fell in pieces, and a brass gun made its appearance. This discovered the deception. Caron was at once seized, sent to Jeddo, and confronted with the king. Being unable to offer any excuse, he was sentenced to have his beard pulled out hair by hair; to be dressed in a fool's coat and cap, and to be exposed in that condition in every street in the city. After this he was shipped back to Batavia.

This story is not credited by later writers.

Digitized by Google

company to undertake negotiations in the dominions of the king, without payment of duty, import or export; and a licence was granted them at the same time to establish a factory at Masulipatam. Thither accordingly Marcara proceeded.

It is curious, that the one fatal feeling which attended all the efforts of the French to establish themselves in India, and which contributed very greatly to their failure, should have shown itself at this early epoch. This feeling was jealousy. It seldom happened that a man, high in office, could endure that any great feat should be accomplished by another than himself. Rarely could a sense of patriotism, a love of country, an anxiety to forward the common weal, reconcile a servant of the French company to the success of a rival. We shall see, as we proceed, what golden opportunities were lost, what openings were deliberately sacrificed to the gratification of feelings as mean and paltry in themselves, as they were base and even treasonable in men who had been sent to advance the fortunes of their country in a distant land.

The French had not been two years in Surat before this feeling evinced itself. Caron, though he could boast of great achievments himself, could not endure the idea that one of his associates should obtain solely credit for deeds in which he could claim no share. The success of Marcara then, so far from being to him a source of joy, as to a patriotic Frenchman it ought to have been, awakened feelings of envy. He at once removed all the friends of the Persian from employ, and represented his conduct in a most unfavourable light to the French minister. Marcara however, on receiving an account of these aspersions, transmitted to Colbert a statement of his proceedings. This statement was so precise, and was so well supported by facts, that, after a full enquiry, Marcara was declared to have cleared himself of every charge brought against him. The contest however between the two principal officials in India did not tend to the stability of the rising settlements.*

Caron however was bent upon effecting some results of greater importance. He accordingly represented to the minister that to obtain a firm footing in the country, it was necessary to hold some place in absolute possession, unassailable by the natives of India, and to use it as a stronghold whence commercial operations could be carried on with the inhabitants of the mainland. Following

* In consequence of his quarrel with Caron, Marcara, unable any longer to work with him, embarked with his adherents on board a French ship and sailed to Java. Arriving at Bantam, they established factories there, of which however they were dispossessed by the Dutch some ten years after, (1682).

Digitized by Google

the idea of Albuquerque, his own conclusions had led him to favour, for this purpose, the occupation of an island, and he had indicated the seaboard of Ceylon, then partially occupied by the Dutch, as well adapted to the end in view. He did not fail to point out likewise the great commercial advantages which must accrue to France from an immediate participation in the spice trade, and he intimated that he had sounded the king of Candy on the subject of the dispossession of the Dutch, and that the enterprise would meet with his support. The project was approved by Colbert, and a fleet under the command of admiral Lahaye,—a man of considerable reputation, who had quitted high civil employment to gratify his passion for warlike operations,—was placed at the disposal of Caron to carry out the design. They made their first attempt towards the end of the year 1672 on Point de Galle. But either the place was too strong, or the jealousies on board the French squadron were too great, for the French were unsuccessful. They were more fortunate at Trincomalee, which they took and garrisoned. But they had hardly landed the guns necessary to defend the fortress, when a Dutch fleet of at least equal force under Commodore Rylckoff van Goens came in sight. Admiral Lahaye declined an encounter, but leaving the garrison at Trincomalee to shift for itself, made sail to Meliapore, then known as St. Thomas, on the Coromandel Coast. Though this place had been well fortified by the Portuguese, from whom it had been taken by the Dutch some twelve years before, the French commander managed to take it in a very short time with the loss of only five men.

This solitary result of an expedition from which so much had been hoped gave little satisfaction to the French ministry. Trincomalee had had to surrender with all its garrison to the Dutch fleet, and now of their conquests,—for at Surat and Masulipatam they had but factories,—St. Thomas alone remained. As is common in such cases, the first outcry was against the projector, and every possible fault was at once attributed to Caron. Some were jealous of his position; others detested his imperious character, and declaimed against his grasping disposition. Had Caron succeeded, but little perhaps would have been heard of these faults, but having failed, they were made use of to procure his recall. The French directors, who likewise looked very keenly to results, were so much mortified at the ill-success of this costly expedition, that they also petitioned the minister to recall Caron, in order, they said, that they might inspect his accounts. The petition was complied with, and, to prevent the chance of any evasion of the instructions,

Digitized by Google

the order sent to Caron did not convey his absolute recall, but directed him, in complimentary terms, to return to France, that he might be personally consulted with regard to some new enterprise. Caron at once obeyed, and embarking all his wealth, of which he had amassed a great deal, he set sail in 1673 for Marseilles. He had already passed the straits of Gibraltar when he learned from a stray vessel the real intentions of the French government regarding him. He at once altered his course and proceeded towards Lisbon. But on entering the harbour the ship struck on a rock, and almost immediately foundered. The only survivor of the disaster was one of the sons of Caron.

In the expeditions undertaken against Ceylon and St. Thomas, a very prominent part had been taken by one François Martin, a Frenchman, who devoted a long career, in singleness of heart and with great success, to the furtherance of the designs of France in the East. Little is known of him prior to the year 1672 beyond the fact that he, too, had commenced his career in the service of the Dutch East India Company, and that he had left it at an early age to join the French. He had probably made the acquaintance of Caron when they were both serving under the Dutch flag. This is certain, that he was known at Surat as a man on whose energy and discretion Caron had the greatest reliance, and he was regarded, at the time of its being carried out, as the soul of the enterprise undertaken against Point de Galle and Trincomalee. Some indeed have asserted that the attempt on Point de Galle failed, because Martin, who had the direction of the attack, had applied for and been refused the governorship of that place. But this statement, which was but little credited at the time, is refuted by the whole of his subsequent career. It is no slight proof of the confidence which he had inspired in those under whom he served, that although he was the trusted subordinate of Caron, he was regarded with equal confidence by those into whose hands the departure of that official left the direction of affairs in 1674. These were Admiral Lahaye and M. Baron.

The position in which these gentlemen found themselves was by no means enviable. They had provoked the hostility of the Dutch by attacking their possessions, and the Dutch were now masters of the seas and inflamed against them with a particular animosity. They had retaken Trincomalee, and the French could scarcely hope that they would allow them to retain peaceable possession of St. Thomas. With a view therefore to provide themselves with a place of refuge in case of evil days,

Digitized by Google

the two French directors ordered Martin to place himself in communication with Shere Khan Lodi, the governor of the possessions of the king of Bejapore in Tanjore and the Carnatic, for the grant of a piece of land, which they might call their own. Martin obeyed, found the governor accessible, and was allowed to purchase a plot of ground on the sea coast in the province of Gingee, to the north of the river Coleroon.

This arrangement concluded, Martin returned to St. Thomas. He there found the two directors not at all doubtful regarding the intentions of the Dutch. It was no longer a secret that the Government of Holland, highly incensed at the attack upon their possessions in Ceylon, were by no means satisfied with the re-capture of Trincomalee, but had sent out pressing instructions to their agents to drive the French likewise from St. Thomas. They were determined, as they possessed the power, to exercise it in blotting out the French from the list of their rivals in the Indian trade. This, they imagined, would be effectually accomplished by the re-capture of St. Thomas. Whilst therefore, showering rewards upon admiral Van Goens for the energy with which he had acted with reference to Trincomalee, they urged him to follow up his blow, and, by a well aimed stroke, to put a final end to the ambitious projects of the French in the East.

The Dutch agents immediately set to work to carry out these instructions. Their first care was to provide themselves with native allies. They therefore represented to the king of Golconda that the capture of St. Thomas by the French was a deliberate and wanton attack upon possessions which they held only in vassalage to him; that the new comers were an enterprising and energetic race, who would not be content with merely a port on the sea coast, and that it concerned his safety as well as his honour to expel them. They acted in fine so much on the jealousy and fears of Abool Hassan, the last representative of the house of Kootub Shah, that he detached a considerable force to besiege St. Thomas by land, whilst the Dutch should attack it by sea.

The combined force made its appearance before St. Thomas in the beginning of 1674, but for a considerable time they failed to make any impression upon its defences. The place was garrisoned by nearly six hundred men, the remnants of the expedition which two years before had sailed with such alacrity against Point de Galle. Now, though reduced in numbers, they were animated by the best spirit, and they were under the immediate direction of a man who never knew what it was

Digitized by Google

to be discouraged. Such was the energy of their defence, that, finding at the expiration of some weeks that little had been accomplished towards the reduction of the place, the Dutch resolved to land a considerable body of men to co-operate with the Golconda army. By this means they were enabled to subject the garrison to a strict blockade. These proceedings were effectual. Unable to procure fresh supplies, and having consumed their last stores, the French were compelled to surrender. The conditions granted to them were favourable, for they were allowed to march out with all the honours of war, and to proceed in whatever direction they might prefer. If it had been the object of the Dutch to expel the French from India, they had much reason to complain of the agents who granted a capitulation containing such a clause. But these had little idea, in all probability, of the use that would be made of it.

To a small but resolute minority of the French garrison, this capitulation, if a blow was a blow which they had expected, and for which they were prepared. Having been allowed to choose their own destination, they at once selected the grant which they had purchased north of the Coleroon. Thither accordingly marched some sixty of them, under the orders of François Martin, and there they arrived in the month of April 1674. They had everything to do, and their resources were at a very low ebb. The remainder, who constituted a large majority, despairing of the fortunes of their country in India, determined to return at once in the ships that remained to them to France. Amongst those who adopted this course were the two directors, Messrs. Lahaye and Baron.

The supreme authority in India now remained with Martin. He had with him sixty Europeans, besides the crew of the *Vigilante* frigate, which alone remained in the roads at his disposal. He had likewise all the effects which had been brought from St. Thomas, and a considerable sum in ready money. His first care was to obtain permission from the governor to erect such buildings as should be necessary to secure his people and their property from desultory attack. He had entered into such relations with the governor that this permission was granted without much difficulty. The command of the sea by the Dutch had forbidden him to think of opening a trade with Europe, and as the governor was in want of funds, and he had those funds lying idle, he had thought it good policy to lend them to him at the then moderate interest of eighteen per cent. The character of Shere Khan Lodi enabled him to do this without

Digitized by Google

much risk, and, contrary to the old proverb, the transaction made of the borrower a fast friend. Under his protection, the slender defences and the houses within them sprung up rapidly, and by his wise dealings with the natives, a little village, containing the native population who worked for the factory, soon grew up under its walls. The whole formed a sort of town which was at first called by the natives Phoolchery, but was gradually altered to the designation, which it bears at present, and by which it has always been known to Europeans, of Pondichery.

The measures adopted by Martin for regulating his commercial transactions were characterised by the same prudence. In those days India supplied Europe with piece goods, and it was to the opening of a trade in this commodity that the attention of the little colony was at first directed. So successful were their efforts that in about two years after their arrival, Martin wrote to the company that he would be able to send them an annual supply to the value of 1,000,000 livres or more. He added a full description of the place; stated that he considered it as well adapted as any other on the coast for the purpose of a French settlement; that the roadstead in front of it, which prevented the near approach of men-of-war, rendered it secure against any sudden attack; that it was well sheltered from the monsoon; that it was healthy and well situated for commercial purposes. This report and the intelligence, which accompanied it, so different to the accounts which the fall of St. Thomas had led them to expect, were received with the greatest satisfaction by the directors.

It must not be imagined that the colonists were entirely free from troubles and alarms. Pondichery was in fact founded and nurtured amid the clash of arms, and the clamour of falling kingdoms. The Sultanut of Bejapore, from which the ground on which it was built had been obtained, ceased in 1676 to be ranked as an independent sovereignty. Twelve months later, Golconda, which had assisted in the expulsion of the French from St. Thomas, had itself fallen a prey to the insatiable ambition of Aurungzebe. At the same time the enemy of all established authorities, Sevajee, was engaged in levying contributions wherever he could obtain them, in annexing towns and provinces, and in laying the foundation of that predatory power which his successors carried to so great a height. In such a time the only chance of safety, especially for a community comparatively rich, was to be well armed, and well capable of offering resistance. None felt this more than

Digitized by Google

Martin. As then, he noticed the periodical increase of his manufactories, he felt that they had need of more numerous defenders than the few Europeans who formed his party. He accordingly, in 1676, applied to his friend Shere Khan Lodi for permission to entertain some native soldiers for the purposes of defence. Shere Khan willingly assented, and made over to him three hundred of his own men. Martin used these men not only as soldiers, but colonists. He gave each a piece of land, and encouraged them to build houses and to employ themselves profitably in the manufacture of tissues and other articles for export.

For some time everything went on well, and the settlement continued to increase in prosperity. But in the seventeenth century peace and tranquillity were rare in India, and the turn of Pondichery came at last. In 1676, Sevajee, having in the four preceding years, possessed himself of many places on the Malabar coast, and been crowned king of the Mahrattas, proceeded to Golconda, and after having made an alliance with its king for the protection of his own territories during his absence, poured like a torrent on the Carnatic. In May 1677, he passed by Madras, then occupied by the English, and appeared before Gingee, regarded as inaccessible. Gingee however surrendered, owing, it is stated, to a previous understanding with the commander. Proceeding further south, he was met by Martin's friend, Shere Khan, at the head of five thousand horse, but Shere Khan was defeated and taken prisoner. Sevajee then invested Vellore, took Arni, and threatened to overwhelm the settlement established by the French, on the ground of their being dependents of his enemy Shere Khan.

The situation was critical. Martin's three hundred soldier-manufacturers would be powerless in such an emergency, even though they should be supported by the entire European community. Resistance therefore was out of the question. But Martin had before dealt with Asiatics, and he knew that there was one argument against which few of them were proof. For greater security however, he took the precaution, in the first instance, to send all the property of the company by sea to Madras. He then requested one of the petty native sovereigns in his neighbourhood, who had made his own submission to the irresistible Mahratta, to represent his perfect readiness to acknowledge the authority of Sevajee, and to pay the necessary sums for a licence to trade in his dominions. This request, accompanied by a handsome offering, did not fail of success. Sevajee, never very ready to attack Europeans, had, on this

Digitized by Google

occasion, no personal animosity to gratify, and he granted all that was asked of him on the sole condition that the French should take no part against him in military operations. The negotiation was scarcely terminated when the news of the invasion of Golconda by the Moguls called him away in a northerly direction, and Pondichery was the safer for the danger that had threatened it.

After this, affairs went on for some time quietly. But subsequently to the invasion of Sevajee, Shere Khan, the old friend and protector of the rising settlement, appears to have been engaged in constant warfare, and it was a warfare that did not always end in success. It became therefore an object to the French that he should repay, whilst yet he was able, the sums that had been advanced to him in 1674, amounting to eighty thousand rupees. To him therefore, in a friendly manner, Martin signified his wishes. Shere Khan, unable to pay, granted him instead the revenue of the lands in the district of Pondichery, and made the cession of that place itself absolute, an arrangement which was very advantageous to French interests. Thus secure of a fixed revenue, Martin began with greater vigour than ever to carry out his improvements. His sixty Europeans had been reduced to thirty-four, but he did not despair. He continued to build houses, magazines, and stores, and in the beginning of 1689, he obtained likewise, though with much difficulty, the permission of Sambajee, son of Sevajee, to make of the defences he had erected a regular fortification.

In that year, however, war broke out between France and Holland, and the Dutch appeared determined to take advantage of the opportunity to repair the fault they had committed in 1674, when they granted the French a free retreat from St. Thomas. The prosperity of Pondichery alarmed them. The occasion was propitious. The French navy was too much occupied in Europe to be able to assist its possessions on the Coromandel Coast,—which indeed had been systematically neglected from the outset. The Dutch, on the contrary, had a strong force in the Eastern seas, and, free from all fear of opposition, they resolved to use it to nip in the bud the young French settlement of Pondichery.

In accordance with these views a fleet of nineteen sail of the line, exclusive of transports and smaller vessels, appeared before Pondichery at the end of August 1693. It was one of the most imposing armaments that had ever appeared on the Indian seas. It had on board fifteen hundred European troops, and two thousand European sailors, besides some native Cingalese in Dutch pay; it had sixteen brass guns, six mortars, and a siege train. Nevertheless, scarcely satisfied with their own means, the Dutch

Digitized by Google

had previously written to Ram Raja, who, on the death of Sambajee, had been appointed regent of the Mahrattas, offering to buy from him the district of Pondichery. The reply of Ram Raja deserves to be remembered. 'The French,' he said, 'fairly 'purchased Pondichery, and paid for it a valuable consideration, 'and therefore all the money in the world would never tempt 'him to dislodge them.' But when the Dutch fleet appeared before Pondichery, the high-souled Mahratta was no longer able to exert his influence in their favour. He was shut up in the fortress of Gingee, on the capture of which Aurungzebe had set his heart. The surrounding country fell during this siege under the influence of the preponderating power of the Moguls, and these did not hesitate, on an application from the Dutch, to sell to them the district of Pondichery for fifty thousand pagodas, and even to detach a body of men to support them.

To resist this formidable attack, Martin had literally no resources. The French company, on taking stock in 1684, had been terribly alarmed by finding that, instead of gaining by their commercial enterprises, they had actually lost one-half of their capital. They were therefore little in the mood to send out any material assistance to Martin, especially as they had all along regarded his undertaking as foolhardy and impracticable. Martin had been therefore from the very outset left to himself. We have seen what he had accomplished; how he had built and fortified a town, established a trade, gained the confidence of the natives, princes as well as people, and laid the foundation of an enduring prosperity. And now all this promising fabric was to be overthrown. In the course of one of those contests in which the country was always engaged, his native allies were temporarily on the losing side. From them, therefore, he could expect no assistance. He had six guns, thirty or forty Europeans, and some three or four hundred natives, and he was attacked by a fleet and army strong enough to take possession of all the European settlements in India.

It must have been a sad day for Martin when he beheld this storm breaking over his head, and destroying the tangible evidences of his wise and skilful policy. Nevertheless, he brought to bear against it all the resources of a mind habituated to calm and cool judgment. He had taken the precaution to move the idlers out of the town, and he prepared for a vigorous defence. The Dutch however gave him no respite. They landed their troops at the end of August, cut him off at once from the inland and from the sea, and plied their attack with such energy, that on the 6th September, having then offered a resistance of twelve days' duration, Martin had no hopes of being

Digitized by Google

able to prolong the defence, and demanded a parley. This resulted in a capitulation, signed on the 8th September, and consisting of thirteen articles, the principal of which were, that the place should be given up to the Dutch East India Company; that the garrison should march out with all the honours of war; that the native soldiers should retire whither they pleased; but that the French should be sent to Europe either that year or the beginning of the next. These conditions were implicitly complied with.

Thus ended, apparently for ever, the attempt of the French to establish themselves permanently on the Coromandel Coast. Of all the efforts ever made by that nation to form a settlement in India, this one had been undertaken under the most gloomy auspices and with the smallest resources, and yet up to the time of the capture of Pondichery, it had succeeded the best. Formed of the remnant of the garrison of St. Thomas, composed originally of but sixty Europeans, never regularly reinforced, but receiving only stray additions, it had not only maintained itself for seventeen years, but it had made itself respected by the natives of the country. What it had accomplished in its internal arrangements, we have already recorded. As we recall the story of these seventeen years of occupation, the question cannot but arise, how it was that this handful of men, left to themselves, accomplished so much, whilst other expeditions, upon which all the resources of the company were so exuberantly lavished, failed so signally. We can only reply by pointing to the character of the leader. Everything was due to François Martin. His energy, his perseverance, his gentleness with the natives, his fair dealing, formed the real foundations of Pondichery. Never was there an adventurer,—if adventurer he can be called,—who was more pure-handed, who looked more entirely after the interests of France, and less after his own. In this respect he was the very opposite of Caron. Caron was avaricious, grasping, jealous of others' reputation. Martin was single-minded, liberal, large-hearted, without a thought of envy or jealousy, and a true patriot. Such are the men who found empires, and who are the true glory of their country! The foundations which Martin laid were not, it is true, destined to be surmounted by an imperial edifice, but they only just missed that honour. That they were worthy of it is his glory, —that those that followed him failed, can reflect nothing upon him. We see him now with all his hopes baffled, his seventeen years' of expectation destroyed, a poor man, sailing to France with nothing to show as the result of all his labours. Was there indeed nothing? Aye, if experience of a distant country,

Digitized by Google

of successful management, of dealing with mankind, of making for one's self resources,—if these be nothing, Martin returned to his country destitute indeed. But in that age such acquirements were more highly considered than they sometimes are now, and no long time elapsed before Martin was to feel that they had gained for him the confidence of his country to an extent that enabled him to repair the losses of 1693, and to rebuild on the old foundation a power whose reputation was to endure.

Before however we proceed to record the further attempts of the French to establish themselves on the southern Coromandel Coast, it is necessary that we should glance at their proceedings in other parts of Hindostan.

We have already alluded to their establishment at Surat.* This was strengthened in the year 1672 by the transfer to it of the head authority from Madagascar,—the company's settlements in which were abandoned in that year, and Madagascar nominally transferred to the French crown.† Some of the Madagascar settlers proceeded, as we have seen, to the Isle of Mascarenhas, afterwards known as Bourbon, others came on to Surat. But the establishment at Surat did not prosper. The wretched condition of the affairs of the parent company naturally affected their servants, and prevented them from carrying on trade with the vigour or success of the Dutch and the English. Politically, the location there of the factory was of no advantage to the French, and its commercial value lessened with the rising importance of Pondichery and Chandernagore. For many years therefore the trade at Surat languished, and the place was finally abandoned in the beginning of the eighteenth century. It was abandoned however in a manner little creditable to the French company. They left behind them debts to a very large amount, and such was the effect on the native merchants, that

* Grant Duff records that when Surat was plundered for the second time by Sevajee (Oct. 3rd, 1670,) 'the English, as on the first occasion, defended 'themselves successfully, under the direction of Mr. Streingham Masters, 'and killed many of the Mahrattas; the Dutch factory, being in a retired 'quarter, was not molested; but the French purchased an ignominious 'neutrality by permitting Sevajee's troops to pass through their factory 'to attack an unfortunate Tartar Prince, who was on his return from an 'embassy to Mecca.'

Ignominiously avoiding a combat is not characteristic of the French nation, and, considering that on this occasion Sevajee's force consisted of fifteen thousand picked troops, whilst the French were few in numbers, and occupied a weak position, it is scarcely astonishing that they entered into an engagement which secured to them their property. The plunder of the Tartar prince can scarcely be considered a consequence of this engagement. Surat was for three days in the possession of Sevajee's troops, and the Tartar prince would have been plundered under any circumstances.

† Edict Louis XIV. 12th November 1671.

Digitized by Google

when a few years afterwards (1714) a company, formed at St. Maloes, despatched ships to trade at Surat, the ships were seized and sequestered on account of the debts of the French India Company, with which that of St. Maloes was in no way connected. In dealing with the French intercourse with this place we have advanced beyond the main point of the narrative; but, it is of the less consequence, as we shall have little further occasion to make any reference to Surat.

The French factory at Masulipatam was, as we have seen, founded by the Persian Marcara, in 1669, under a patent obtained from the king of Golconda. Its trade at the outset was extremely flourishing, but the expulsion of the French from St. Thomas, by the aid, it will be remembered, of the Golconda army, was a heavy blow to its prosperity. It exerted for a long time after little political influence on the march of affairs. It revived, however, with the rise of Pondichery. In 1693, the French obtained permission to build a square, which is still in existence, and is known by the name of France Peta. Masulipatam became later one of the most important of the French settlements. To the circumstances connected with its rise we shall have occasion to refer further on.

In the year 1663 Shaista Khan, the maternal uncle of the emperor Aurungzebe, having been driven out of the Deccan and compelled to flee for his life by Sevajee, whom he had been sent to repress, was appointed, to compensate him for his humiliation, viceroy of Bengal. It was during his viceroyalty* that a French fleet entered the Hooghly, and disembarked a body of settlers at the village of Chandernagore. This village was ceded to those settlers by an edict of Aurungzebe in 1688. Eight years later Sobha Singh, a landed proprietor of Burdwan, rebelled against the authority of the viceroy Ibrahim Khan, the successor of Shaista Khan, and rallying to his standard the Orissa Affghans and other malcontents, plundered Hooghly, and carried devastation to the very gates of the European settlements. In this crisis, the English, French, and Dutch traders pressed upon the viceroy the necessity of their being permitted to fortify their respective settlements,—a favour which had been before asked and refused. The viceroy would only tell them in reply to provide for their own safety. This was regarded as a tacit permission to fortify, and was acted upon accordingly. Nevertheless, the French at Chandernagore never attempted to be anything more than traders. For a long time their efforts in that respect were not very successful. All French writers speak of their trade there, for many years, as languishing. By

* Stewart, in his History of Bengal, says "about the year 1676."

Digitized by Google

letters patent, dated February 1701, Chandernagore, with the other French possessions in the Indies, (Balasore, Kassimbazar, —an offshoot from Chandernagore, and Masulipatam) was, placed under the authority of the governor of Pondichery. It was not, however, till nearly thirty years later that the trade received an impulse which converted Chandernagore into one of the most flourishing settlements of the company. To that change and its causes we shall refer at the proper time. The factory at Balasore was insignificant and was abandoned at an early period.

It will thus be seen, that of all the places in India in which the French had made a settlement, Pondichery was in 1693 the most advanced and the most promising. And now they had lost Pondichery. The Dutch knew well the value of their conquest. Its situation, sheltered for nine months in the year from the monsoon, the inconsiderable surf, and the fact of there being a little river falling into the sea navigable for flat-bottomed boats, rendered it superior as a settlement to any other place on the Coromandel Coast. They therefore determined to make it worthy to be the capital of Dutch India. Their first care was to strengthen its defences. They built new walls, strengthened by bastions, and made it the strongest fortress possessed by an European power in Hindostan. They endeavoured also to cement their relations with the natives, and to establish with them the same cordial intercourse which had existed with the French. It was an end towards which they strove that, as in their wars with the Portuguese, they had kept the fortified places they had taken from them in India, so, after this contest with the French, peace when it came might once more confirm to them the possession of their Eastern gains.

Meanwhile, Martin and his companions had arrived in France. The reception they met with was encouraging. The minister and the directors were equally pleased to honour a man who had effected so much with so little. The king himself conferred upon him the dignity of chevalier of the order of St. Lazare. On the other hand his description of Pondichery and its advantages imparted vitality and excitment to directors who had had to experience nothing but losses. They began for the first time to appreciate the importance of the place which they had hitherto so neglected, and which, owing to that neglect, had been lost to them. Just then, however, nothing could he done. France was fighting single-handed against Spain, Germany, England, and Holland, and of these England and Holland were her successful rivals in the Indies. There was nothing for it but to wait for peace.

Peace at last came. On the 21st* September 1697, the

* New style.

Digitized by Google

treaty of Ryswick was signed. One of the articles of that treaty engaged that there should be a mutual restitution of all places, taken on both sides, both in and out of Europe; and at the close of that article was a clause in which the fortress of Pondichery was particularly mentioned, with an especial proviso, that its fortifications should not be destroyed, but that it should be delivered up in its then condition.

Pondichery thus recovered, the French company resolved that it should not easily again slip from their possession. Martin was at once appointed to the command of the place, and instructions were given him to add still further to its strength. It was agreed to reimburse to the Dutch 16,000 pagodas, which they asserted they had expended on the fortifications. A squadron was at the same time sent out with him to India, having on board two hundred regular troops, several engineers, a large supply of military stores, several heavy and field guns, and materials in abundance for the use of the settlement.

It thus turned out that the conquest of Pondichery by the Dutch was really the cause of great advantages accruing to the French. Had Pondichery never been taken, it seems probable that it would have been left to fight its own way under Martin, and after his demise would have sunk ultimately to decay. Again we see an instance of the power of individual character. Martin in Europe showed himself more powerful, more persuasive than he had been in Pondichery. He stirred up the doubtful, animated the slothful, and inspired all with a feeling akin to his own enthusiasm. It was owing doubtless to him and to his representations that that particular clause was inserted in the treaty of Ryswick. Nor did he cease his efforts till he had seen preparations on foot which were to render the place which he had created equal to Pondichery of his ideal.

On arriving at his destination Martin commenced the work of improvement. He enlarged and improved the fortifications,* and collected a garrison of between seven and eight hundred Europeans; he laid out a plan for a large town, the erection of which he commenced. In little more than a year a hundred new houses had been erected, and the place presented such an improved appearance that it is stated that a person who had only seen it in 1693 would not have recognized it. Nor did he omit to renew his relations with the natives. By the same course of gentleness and straightforward dealing which he had formerly

* It is stated that the alterations in the fortifications were carried on under the direction of a Capuchin monk, named Father Louis.

Digitized by Google

followed, he attracted them in great numbers to the settlement, so much so that in twelve years after his return, there were between fifty and sixty thousand of them inhabitants of Pondichery.

We have stated that on the abandonment of Madagascar in 1672, the supreme French authority in India was transferred to Surat. But, in 1701, less than three years after the re-occupation of Pondichery, the trade at Surat had become so unprofitable that it was resolved to abandon the factory at that place. How the factory was abandoned, we have already seen. But, prior to that not very creditable episode, letters patent had been issued by which the superior council of the Indies, as it was called, was transferred from Surat to Pondichery, and this place was made the seat of the director or governor-general, with supreme authority over the other French factories in any part of India. Almost immediately afterwards Martin was appointed president of the superior council, and director-general of French affairs in India.

Meanwhile the affairs of the French company, always badly managed, did not reap much advantage from the peace. Unable, from paucity of funds, to fit out trading expeditions of their own, they were compelled to have recourse to the system of selling trading licences to others. With funds and good management in Paris, and a Martin at Pondichery, the French might have established a trade with India which it would not have been easy to destroy, and which would have immensely aided the ambitious projects of the successors of Martin. But at the close of the seventeenth century the resources of the French company were nearly exhausted. They struggled on indeed, by means of the shifts to which we have adverted, for some time longer. But the material aid which they afforded to the settlement at Pondichery was of the slightest description. The traders who purchased their licences made fortunes, whilst the directors of the company which granted those licences were just able by their sale to realise sufficient to keep their servants from starving. This was an immense misfortune at a time when the affairs of the company were being managed in India by a man of conspicuous ability and of rare integrity. Whilst the town of Pondichery was increasing, and its native inhabitants continued enormously to augment, merely by reason of the good government that they found there, the connexion with the parent company was becoming every day more precarious and uncertain, and the superior council could not but fear, that, like Madagascar and Surat, the time would shortly arrive, when Pondichery too would be abandoned.

Digitized by Google

But in 1715 Louis XIV. died. The duke of Orleans, upon whom, as regent, the supreme authority of France then devolved, was at once applied to by the East India Company for a confirmation of their privileges. But the desperate nature of the affairs of the company were well known to the regent. It appeared to him that it was useless to confirm privileges of which the directors of the company were unable to avail themselves, and which they accordingly sub-let to others in a more prosperous position. It was not that the trade to India was a trade unprofitable in itself. It had been unprofitable to the company, solely because a system under which dividends were declared when there were no profits, and money was borrowed at a high rate of interest, must always be unprofitable. The capital of the company had been originally too small, and had therefore succumbed to early and unavoidable mischances. Acting under the advice of the famous Law of Lauriston, the regent believed that an Indian company, properly managed, might be of material assistance to the State in the wretched financial condition in which it had been left by Louis XIV. For these reasons, he not only declined his confirmation of the privileges of the East India Company, but by an edict dated May 1719, he revoked and suppressed all its privileges whatever. At the same time he established a new company of the Indies by uniting the old East India Company to the West India Company established two years before with a capital of £4,000,000 under the auspices of Law. To this new company he granted the possessions and effects of the other companies, charging them with their debts. To enable them to discharge those debts and to carry on the vast trade guaranteed to them by the edict, he created in their favour one million sterling in new shares, to be purchased only for ready money. In the following year, in consideration of the ready assistance afforded by this Company to the Crown in facilitating the diminution of the immense amount of paper money in circulation, a new decree was issued, declaring the privileges of the Company to be perpetual, and it is from that time known in history, as the Perpetual Company of the Indies.

The result of Law's gigantic plans is too well known to be alluded to except in so far as they affected the scheme of virtually transforming the Perpetual Company of the Indies into a department of the government. The collapse, brought about by the undue expansion of a scheme, which, retained within reasonable limits,* would have been of undoubted service to the State, came in 1720. After a series of edicts, all tending to give a forced circulation to depreciated paper, and to prevent the

* The expressed opinion of M. Thiers.

Digitized by Google

exportation of specie and the manufacture of ornaments of gold or silver, a resolution was arrived at on the 5th of May of that year, by which the value of the paper money was reduced by an enactment of the legislative. This was the final stroke. The Royal Bank, the creation of Law, succumbed under this last burden, and the Perpetual Company of the Indies, breaking off its banking connexion with the government, reverted to the more legitimate undertakings of trade and commerce, though still under the supervision of the Crown. Two other edicts affecting the company were issued in 1723 and 1725, by the last of which its capital was fixed at 102,000,000 of francs, or £4,080,000, in fifty-one thousand shares of two thousand francs (£80) each.

This was a very great improvement on the state of affairs before the accession of the Duke of Orleans to the regency. The company delayed not to act upon it. At the end of the year 1720, they fitted out three ships, which were laden with a great quantity of silver in specie and bullion, in addition to a large cargo of European commodities. The arrival of these ships at Pondichery was the first intimation which the superior Council at that place had received of the change of system. It unfortunately happened that with these vessels there came an intimation that regular supplies of the same nature would be transmitted every year. The consequence was that the first cargo was applied primarily to discharge the debts contracted by the company in various parts of India. With the surplus a small cargo was transmitted to France. Had the company now been able to carry out their promise of forwarding regular supplies, its financial prosperity would have been assured. But in the latter end of 1720 and in the years immediately following, the collapse of Law's system made itself most keenly felt. His connexion with the government had made that collapse a national disaster. All commercial enterprises were affected by it, and the new India Company, so far from having it in their power to send out a squadron laden with bullion and merchandise, were not in a position, in 1721, to send out a single ship carrying cargo.

This failure on their part re-acted on the settlement of Pondichery. Martin, who from the time we have left him, had continued by his wise system of administration to improve and enlarge the town, and to attract within its walls a very large native population, had made great preparations to open out new markets for the expected cargo. When, instead of the cargo, he received intimation that no ships could possibly be sent that year or the next, he was reduced to very great necessities. His credit had been pledged, and it was by reason of his

Digitized by Google

credit that he had obtained his position at Pondichery, and had made that place what it was. But it is on such occasions that the real character of a man is best seen. The rich natives who had flocked into the town were naturally acquainted with the reason of the crisis. In the rectitude and in the good intentions of the governor, they had the utmost confidence. Martin therefore had but little difficulty in making arrangements which warded off actual disaster. He could not however so act as to induce those with whom he dealt to transfer to the company in France the confidence they felt in himself, and it was long before, as well with the natives as with the rival companies of England and Holland, the credit of the French company recovered from the blow which the too unbounded confidence of its own directors had dealt it.

The arrival however of two ships in 1724 and of seven others in the course of the two following years did much to restore the credit of the company. From this time may be dated the period when the agents in India were able to transmit regular, though in the first instance but slender, returns to Europe. The trade thenceforth began visibly to extend, and the profits to increase. Though nominally independent, the parent company was always under the patronage of the ministry, and the extension of commerce with India was not a matter which a French minister of the eighteenth century would willingly neglect. Thus it came about that the action taken by Law was in the end really beneficial to the company. The depression caused by the failure of his main schemes once having disappeared, the many years of peace which, with but a slight intermission, signalised the administration of Cardinal Fleury, gave the company a grand opportunity, of which they availed themselves, for the development of the new resources Law's measures provided for them. Henceforth then, regarding the traffic as regularly established and steadily pursued, we shall make no special allusion to their commercial transactions, but shall confine ourselves more particularly to the policy and conduct of their agents in India.

Martin, to whom they owed everything, who was the real, we may say the only, founder of their prosperity, lived to see the commencement of the steady trade for which he had made so many exertions. The exact date of his demise is not accurately known, but it is believed to have occurred in 1725. Upon the plot of ground which he had occupied with sixty men just fifty-one years before, there had risen under his auspices a great and flourishing city. He himself, its founder, had not only amassed no riches, but he died poor,—

Digitized by Google

poor but honoured. He had devoted all his energies, private as well as public, to his country. Pondichery, at his death, was the best ordered European city in Asia. It possessed a large market-place, six gates, eleven bastions for the defence of its walls, a regular citadel well fortified, upwards of four hundred cannon upon the works, besides a large number of the field-pieces, bombs, mortars, and other military stores in the arsenal.* The governor had a very fine house with convenient offices. The houses and storehouses of private persons were likewise both numerous and magnificent. On the west side of the town was a public garden, beautifully laid out, and near this a magnificent house built expressly for the use of native princes and ambassadors, who were lodged in it when they chose to visit Pondichery, treated with infinite respect, and all their expenses defrayed. The town possessed, besides, three convents, one, a very large one, belonging to the Jesuits, who employed themselves in the instruction of native children; and two others, smaller, belonging to the Carmelites and Capuchins. The native town was divided from the European town by a canal; the houses in this were solidly constructed of wood and chunam,—the latter being a composition made of shells ground to powder, and wrought into a kind of paste, which, by exposure to the air, becomes as white and almost as hard as stone.

It is curious to read the account of the state observed by the governor in those primitive days of Indian occupation. Attending upon him on great occasions, it is stated, 'are twelve 'horse guards clothed with scarlet laced with gold, and an 'officer, with the title of captain, commands them. He has 'also a foot guard of three hundred men, natives of the coun-'try called peons, and when he appears in public, he is carried 'in a palanquin very richly adorned with gold fringe.' Such however was the economy of the administration under Martin, that, except on public or particular occasions, these guards were employed in the commercial service of the company, and earned all the wages they received. At the time of Martin's death, the native population is computed to have exceeded one hundred thousand.

Nearly twenty-seven years had then elapsed since the Dutch had restored Pondichery, and they had been years of peace and growing prosperity. The French enjoyed in those days a great reputation at the courts of the various native princes for qualities the very opposite of those they were wont to display in Europe. The power and resources of France, the sacredness

* Histoire des Indes Orientales.

Digitized by Google

of the persons of her sons, were subjects which the French in India never dwelt upon. They were careful, on the contrary, to pay the utmost deference to the wishes of the prince with whom they were brought in contact, and to attempt to gain his confidence by a recognition of his power and authority. Their policy in fact was to adapt themselves as much as possible to native habits, whilst not departing from those strict principles an adherence to which alone can beget confidence. In this respect the ruler of Pondichery had something to repair, for the descreditable departure from Surat had materially affected French credit. Martin not only repaired that blot, but he brought his relations with the natives to such a point, that he and his French were not only trusted, but they were personally esteemed and regarded. In this way he laid the foundation for that intimate connexion with native powers, which the most illustrious of his successors used with such effect to build up a French empire in India. Perhaps it was, that, left so long to his own resources in the presence of contending powers, any one of which was strong enough to destroy him, he deemed a policy of conciliation his only safe policy. But, even in that case, to him the credit is undoubtedly due of being able to dive so well into the character of the natives as to use them for his own purposes by seeming to defer to their wishes; to turn the attack of Sevajee into a claim for Mahratta protection, and to convert the loan to Shere Khan Lodi into the means of obtaining a fixed and perpetual revenue.

It is a remarkable result too of Martin's skilful policy that the progress of Pondichery caused neither envy nor apprehension to any of the native rulers of the country. It is a result which can only be ascribed to the confidence which that policy had inspired. The four hundred guns on the ramparts were regarded, not as threatening to a native power, but as a means of defence against one of the rival nations of Europe. When a native prince visited Pondichery, he was received as a friend: he was carefully waited upon; he was pressed to stay. The idea of regarding the natives as enemies was never suffered by any chance to appear. Acknowledging them as the lords paramount of the country, the French professed to regard themselves as their best tenants, their firmest well-wishers. Pondichery rose therefore without exciting a single feeling of distrust. It was freely resorted to by the most powerful princes and nobles in its neighbourhood. The good offices of the French were not seldom employed to mediate in cases of dispute. Thus it happened that they gained not only toleration but friendship and esteem. They were the

Digitized by Google

only European nation which the natives regarded with real sympathy. Evidences of this regard were constantly given; that it was real, subsequent events fully proved.

This cordial understanding with the children of the soil,—the solid foundation upon which to build up a French India,—was, with much more that we have described, the work of that Martin, whom the latest* French account of French India dismisses in half a dozen lines. Was it his fault that his successors risked and lost that which he had secured with so much care, with so much energy, with so much prudence? The most fervent admirers of Dupleix, the most determined defenders of Lally, the most prejudiced partisans of Bussy, cannot assert that. Was it not rather that the very facility of Martin's success opened out to his successors that splendid vision of supreme domination which is especially alluring to those who feel within themselves the possession of great powers? To answer that question, we must turn, in an enquiring spirit, to their careers.

---

* Inde, par M. X. Raymond.

Digitized by Google

Art. IV.—*Land Tenure in the North-West Provinces.*

THE grand and vital subject of land tenure, which is in every nation the groundwork of society, and in India possesses peculiar importance with peculiar complexity, is coming prominently under discussion on all sides, at any rate in the Bengal presidency. The ancient system is rapidly undergoing those changes which naturally follow the substitution of a civilized English administration for the precarious rule of preceding dynasties. In the Upper Provinces its intricacies have only been thoroughly unravelled within the last thirty years, and now the institution which survived the anarchy of the eighteenth century, and was disinterred in good preservation from beneath the ruins of the Mogul empire, is fast crumbling away in the uncongenial atmosphere of British government. In vain well-meaning administrators have attempted by enactments and revenue circulars to restore and preserve the fabric:—an orderly government, that keeps accounts, maintains police, and develops trade, has virtually superseded and rendered useless the intricate machinery contrived to bind men together in troublous times, and to regulate profits and liabilities ere yet deputy collectors and summary suits existed. It disappears with the necessities by which it was originally created, and the power of the purse is fast demolishing that which so long resisted the sword. There is nothing strange in these economical changes, through which all countries are passing or must pass; what is remarkable is that India is being driven with unnatural rapidity through a series of phases which have extended over long periods in the history of other nations. New institutions and new principles, the difficult growth of centuries in the countries whence they have been imported, have been let loose as from Pandora's box over India, and the whole national structure feels their effect; while the English immigrants and emissaries of English commerce are driving home the wedge of each reform, and pushing violently against the local barriers that hamper their enterprize.

The occupation of India presents a difficulty new to Anglo-Saxon colonists. Here is no fresh soil which can be cultivated after the extermination of its few and scattered owners, nor an effete native dynasty which can be subverted for the benefit of commerce,—but a strong civilized government which is conscientiously attempting to mediate between the two races. It has no precedent to follow, and is cautiously feeling its way in

Digitized by Google

an uncertain and dubious manner by such measures as the criminal contract bill, rules for the disposal of waste land,—and the like. Each measure finds violent supporters and opponents —no one can predict the result without the experiment. This, the struggle of the English to obtain room in the land, and their position in regard to the zemindars and peasants, is the abnormal and novel feature which India shows, unheard of before in the world's history, where the conquering race has invariably settled such questions by the sword, and divided the land among its own people, unless it might have been found more convenient to leave the cultivation with the subject occupiers of the soil, and to exact a heavy share of the produce. But the remarkable phenomenon of the victors abandoning their right of the strongest, and the vantage ground of superior knowledge and strength, for the disadvantageous arena of law and chicane, has never been heretofore witnessed; and it yet remains to be proved whether two races can live in perfect equality upon the same territory.*

Setting aside the element of English immigration, and the peculiar agrarian disturbances which it has already begun to cause, we find in the present transitional state of the country many striking points of resemblance to the condition of our own and other countries in earlier stages; insomuch that it does not appear impossible to predict with some accuracy the economical future of India by comparing its present tendencies with the results of the same kind of symptoms as recorded in the history of more advanced societies. And here let it be understood that we propose to confine our observations principally to the North-West Provinces, where the revenue system is better calculated than in other divisions to afford free play to the causes which affect the tenure of land, and where the temporary settlement and careful record of rights enable us more accurately to distinguish those causes and their tendencies. The theory that in India the sovereign is sole proprietor of the land has been universally taken for granted both in England and in this country. We will not now attempt to discuss it, or to demonstrate our own notion that the land belonged originally to him who reclaimed it, and the rents to him who was strong enough to collect them. We desire, however, to

* Adam Smith says that the Greek colonies flourished, because they managed to set up governments for themselves independent of the metropolis, and that the American colonies throve, because they found plenty of good land unoccupied, for the want of which the Roman colonies in Italy did not prosper. It is to be feared that the English colonist in India has no hope either of an independent government or of plenty of unoccupied land.

Digitized by Google

point out that, assuming such sole proprietorship to have been established, the fact merely serves to denote the economical stage in which we found India upon coming into possession of it. This stage is not one of the earliest; it shows indeed that the country had long passed beyond the ruder conditions of society; it is one of which we find traces in the history of all nations, and which, from causes too long to detail, all Asiatic nations have found very difficult to surmount. Although generally declared to have existed in the East from time immemorial, it in reality marks a comparatively recent period when the concentration of power under some dominant tribe or unusually able and powerful monarch has taken place. It is a system of pure social despotism, constructed upon the ruins of private rights and liberties, which have been swept away by conquest, or gradually demolished by grasping autocrats. The most ancient of all histories shows how this revolution was brought about in Egypt, affording a curious instance of the pre-existence of earlier free tenures, and of the policy which seized every opportunity to undermine them. We read that Joseph, with the mercantile genius of an Israelite indeed, bought up all the surplus produce of Egypt during the year of plenty, from which it may be inferred that the interpretation of Pharaoh's dream was preserved, as a cabinet secret, from the rest of the nation, and was not allowed to influence prices. When the people were reduced to the verge of starvation in the second year of famine, the government wrung from them as the price of subsistence their rights in land. * 'And Joseph bought all the land of Egypt for 'Pharaoh, for the Egyptians sold every man his field, and 'the land became Pharaoh's.' Joseph next advanced them seed, and established a permanent ryotwaree settlement of the whole country at a rent of one-fifth of the produce (ver. 23-24): 'And 'Joseph made it a law over the land of Egypt unto this day, 'that Pharaoh should have the fifth part.' But it was usually by conquest that the sovereign obtained this sole proprietorship, and under the feodal system his right was as absolutely acknowledged in Europe as it has ever been in India, with this difference, that as the Western king never became so despotic as the Eastern monarch, this right was never so thoroughly enforced. Indeed, it very soon dwindled into theory and legal formula. Yet the terms in which Blackstone describes the system might have been used by a publicist of the Mogul empire. 'The 'ground and fundamental maxim of all feodal tenure is this; that 'all lands were originally granted out by the sovereign, and are 'therfore holden either mediately or immediately, of the crown

* Genesis xlvii. 20.

Digitized by Google

'.....The manner of the grant was by words of gratuitous 'and pure concession "Dedi et concessi"*' All lands were subject to escheat, if the holder died without heirs, or became attainted—while it is distinctly laid down that estates, allodial or not holden of any superior, did not legally exist in England. But the powerful lords and their sturdy vassals soon brought about the conversion of their military tenures immediate into independent freeholds, and their sub-tenures into copyholds; the necessities and weakness of successive kings forced them to give up their sole proprietorship, of which even the theoretical existence is now only remembered by lawyers and antiquarians. A strong centralized government has ever been injurious to the liberties of the people. Anarchy impoverishes a nation, but develops independence and local rights. The earliest Mahometan conquerors of India left free possession of the land to its inhabitants—subject only to payment of a share of the produce. The concentrated and organized despotism of the Moguls first set up and enforced the sovereign's claim to an exclusive title to the soil; which again melted into a mere empty formula in the chaotic confusion which followed the death of Aurungzebe.†

By the time that the English established themselves in Northern India, all uniformity of system as regards land tenure had disappeared. For nearly a century the government had been reduced to collect its rents as best it could, and from whom it could, sometimes had been forced to forego the collection altogether, or to pay its debts by exempting certain lands from the tribute. It is not too much to say that the sole proof required of proprietary right was the ability to pay the government demand, while the emperor's *de jure* ownership of the soil had become about as substantial and effective as his authority over the *de facto* owners. It was a mere memory of Akber's centralized power, and of dominion undisputed from

---

* Blackstone, Vol. II. Lib. II.

† The following extract from Blackstone might be almost literailly translated into Hindustance as an account of the growth of tenures under a talookdar of old standing:—

A manor (a manendo) was a district of ground held by lords and great personages, who kept in their own hands so much as was necessary for the use of their families, these were called *demesne* (*dominicales*) lands. The tenemental lands they distributed among their tenants either as *book land*, which was held by deed under certain rents, or *folk land*, which was held by no assurance in writing, but distributed among the folks at the pleasure of their lord, and resumed at discretion. The residue was termed the lord's waste, and served for roads or common pasture.' Vol. II. Lib. II.

Digitized by Google

Candahar to Cape Comorin. But the vague and shadowy title served our purpose, who had no title at all; affording a fair pretext for disposing of other claims, and leaving us at liberty to make our own arrangements for the future.

Thus far have we traced the successive variations in the tenure of land which in India, as well as in all countries, have been caused by the positive and direct forces of conquest, war, violent usurpations, or irresistible despotic authority. We now arrive at the transition period, the period of England in the reign of the Tudors, through which Russia is now probably passing in the West, as is India in the East. It is a time when after long struggles the principles of civilization, commerce, orderly government, and the art of acquiring wealth in all its branches, are becoming generally acknowledged and practised; when the whole old order of things changeth, giving place to new. The land is ever the last to change;—the country folk are always behind the rest of the world. The pagans, pagani-villagers, were idolaters when the Roman empire had become Christian. So it is a bad time for the owners and tillers of the soil, who feel every where these subtle and powerful influences working changes which they cannot account for. They see that the relations of men with each other are altered, and apparently for the worse; the landlords press the tenants, the tenants cheat the landlords, the communes fall to pieces by internal feud, the small yeomen sink to poverty, and vanish from the face of the earth. Men have no more every day need of each other, nor of mutual protection and assistance; the state has contracted for the business on payment of taxes, and every one has leisure to pursue his individual interest with small care for his neighbour.

To those who believe that many of these peculiar signs of a changing time are visible now in India, and who seek in the past an explanation of the present, it may be interesting to compare extracts from Froude's History of England under Henry VIII., sketching a condition of society curiously analogous to the actual state of many parts of our North-Western Provinces. A sort of parallel may be drawn between the antecedent history of both countries. England had been torn in pieces by the wars of the Roses, as India by the Mahratta and Mogul contests, and in each case the anarchy has been succeeded by a period of comparative peace under a strong and able dynasty, which has given to the people rest and leisure to look about them. Let us complete the parallel by assuming rightly that this tranquillity commenced in England with the sixteenth, and in India with the nineteenth century; after which the

Digitized by Google

subjoined note by Froude (Vol. I. p. 27) upon a writer of 1581 will show the tenure of land undergoing the very same changes at much the same rate of progress in both countries:—

'In 1581 the agricultural labourer, as he now exists, was 'only beginning to appear. "There be such in the realm," says 'Stafford, as live only by the labour of their hands and the 'profit which they can make upon the commons. This novel 'class had been called into being by the general raising of 'rents, and the wholesale evictions of the smaller tenantry which 'followed the Reformation. The progress of the causes which 'led to the change may be traced from the beginning of the 'century. Harrison says he knew old men who, comparing 'things present with things past, spoke of two things grown 'to be very grievous, to wit, the enhancing of rents; and the 'daily oppression of copyholders, whose lords seek to bring 'their poor tenants almost into plain servitude and misery, 'daily devising new means, and seeking up all the old, how to 'cut them shorter and shorter; doubling, trebling, and now and 'then seven times increasing their fines; driving them also for 'every trifle to lose and forfeit their tenures, by whom the 'greatest part of this realm doth stand and is maintained, to 'the end that they may fleece them yet more; which is a 'lamentable hearing.' *

Any one whose position in these provinces has enabled him to note the rapid increase, since the mutiny, of suits against hereditary cultivators for enhancement of rent, and the prevailing tendency to rackrent those cultivators who have no fixed rights, will be struck by the resemblance of this sketch. The 'daily oppression of copyholders, hereditary culti-'vators,—and the driving them for every trifle to lose their 'tenure'—are repeated in every district. Of course, as in those days, so now in India, this arises merely from the efforts of the monied classes who are gradually acquiring a large portion of the land, to get rid of all obstacles which impede their turning their landed investments to the best account, and obtaining the utmost interest for their money. Not that the commercial classes who have become landowners are singular in this respect. All other landowners, having lost the excitement of troubled times, and the motives for conciliating their tenants and clansmen, are becoming equally keen in the pursuit of gain, and equally unscrupulous in the means they employ. In England the Tudor government had remarked and deplored this disposition; just as Lord Stanley, when secretary for India,

* Froude, Vol. I. p. 17.

Digitized by Google

desired the local governments to furnish minutes upon the subject of the transfer of land by sale, &c. The conclusion arrived at by Lord Stanley was that interference was impossible, but the rulers of the sixteenth century attempted it with a high hand. '* The city merchants, as I have said, 'were becoming landowners; and some of them attempted 'to apply their rules of trade to the management of landed 'estates. While wages ruled so high, it answered better 'as a speculation to convert arable land into pasture' (to eject the tenants for that purpose) 'but the law immediately stepped 'in to prevent and proceeding which it regarded as petty trea-'son to the commonwealth.' Again: '† The moneymak-'ing spirit, however, lay too deep to be checked so readily. 'Increasing numbers of them were buying or renting land, and 'the symptoms complained of broke out in the following reign 'in many parts of England.....By the 1st of the 7th 'Henry VIII., the laws of feudal tenure were put in force 'against the landed traders.'

By such imperious measures the English government actually succeeded in arresting for a time the spread of capital and the destruction of small tenures. In India the administration have never attempted to hinder the investment of capital, save only by the provisions of Sections 243, 244 of Act VIII. postponing the sale of land in certain cases when satisfaction of a decree may be obtained by temporary alienation, and latterly every thing has tended towards accelerating it; though whether India, any more than England in the sixteenth century, is yet ripe for the application of pure undiluted principles of political economy, is still to some a doubtful point.

Proceeding to Vol. III. pp. 91-92 of Froude's History, we find the 'abolition of small tenures' among the causes which led to the rebellion of the northern countries in 1536. Indian administrators, who are now much more likely to err through a too rigid application of economical rules as found in books than by neglect of them, may benefit by his passing notice of the real damage which corn speculators may cause in a country with few roads, small means of transport, and accustomed to depend on its local resources for food and manufactures—in short, such a country as India is fast ceasing to be. The historian goes on to show how the development of trade at the close of the fifteenth century gave the first shock to

* Froude, Vol. I. p. 29.
† p. 31.

Digitized by Google

the self-supporting system, and how the demand for wool led to the breaking up of farms and enclosure of commons.*

It is impossible not to be struck by the coincidence of this demand for wool with the sudden demand for cotton which has just now added such an impulse to the working of great changes in India, although the distinctions of various sorts between the two cases are sufficiently obvious. The demand for wool induced the English landlord to evict the small tenants, and to amalgamate their holdings into large sheep farms. The great profit to be made from cotton will, if it continues, intensify to the utmost the anxiety of the Indian landlord to rid his soil of the tenants holding by quit-rent or hereditary rights, who claim virtual exemption from enhancement, and the privilege to cultivate what crops they choose. As in England in the sixteenth century, so now in India, the effect will be to hasten the movement and add force to the causes which lead us nearer to the final stage, in which all other rights are swallowed up in the right of the landlord as sole proprietor of the soil as well as of the rent. As in England then, so now in India, we may pass through periods of widespread discontent, and even, as in Bengal, though agrarian disturbances and bitter enmity between landlord and tenant. Not only will a sustained demand for cotton attract all capitalists to the land, always a favourite investment, when they will evict those tenants who do not grow enough cotton or in the most profitable manner—at the same time raising the rents upon those who *do* grow it with much profit—but, after the raising of the rents, there will come sooner or later a sudden † fall in the price of cotton, while the landlords will only relax the enhanced rates until they have gone through an interval of such renting. It may be remarked by those inclined to pessimism, that the opening out of easy intercommunication between the markets of the world has indeed freed us from all danger of those sweeping famines to which the general failure of a harvest subjected countries which depended on their own produce for subsistence; but that it would seem as if another no less formidable danger had been substituted, by the system of dependence on foreign markets for supply or demand of raw material for manufactures, since large classes are now liable to the same periodical distress, from the fluctuations of commerce caused by political movements.

---

* Vol. I. p. 32.
Vol. II, p. 93 (note.)

† Written before the fall came.

Digitized by Google

We have seen how the English government of the sixteenth century opposed the encroachments of capital and the consequent decay of the small tenures by direct prohibitory laws. A succession of able administrators in the North-Western Provinces attempted the same thing in a very different way. They defined and confirmed the rights and position of the occupiers of the soil, passed special and minute enactments for their careful preservation, and gave the revenue courts summary jurisdiction in all disputes between landlord and tenant. Both methods have eventually failed in arresting the natural course of events. But the power of a despotic law effected its purpose for a time, while it is not certain whether our well-meant legislative interference between the landed classes of India has not hastened the dismemberment which it was intended to prevent. The system of land tenures originated here, as elsewhere, in the necessity for mutual dependence and forbearance,—a sort of balance of conflicting interests. The landlord and tenants, or the village communities, managed their own affairs, and oppression or roguery brought its own punishment. But all the links which held them together were virtually dissolved as soon as the law and the Revenue Board took the place of local influence and public opinion, and when the government took upon itself to define and limit rights and customs which were the natural growth of circumstances, and which varied with the circumstances which shaped them. Institutions for self-protection and self-government fell into disuse when the government assumed the task of protecting and governing; authoritative official interposition in all disputes levelled all distinctions of rank and destroyed local influence; and the old possessors of the land were soon weakened and thinned by disunion, by litigation, and by the chicanery of courts utterly unsuited to this or indeed to any country. Such have been the results of laws which, intended as conservative, actually cleared the way for and visibly hastened the otherwise natural process of transfer of land to the capitalists; the breaking up of the village communities, and the rapid absorption of the small tenures by the large landholders.

Then came the great convulsion of 1857, which found the country in this condition; local authority had well nigh disappeared; the centralized power which had supplanted it was in abeyance, and whole districts fell into unparalleled anarchy and confusion. This experience of what has been called the 'ingratitude' towards our government of the peasantry for whom we had incurred much odium, and the manifest tendency to failure in our efforts to prop up their old world institutions by artificial supports, have been gradually producing a change in

Digitized by Google

the direction of our policy since 1857. And this inclination has been powerfully encouraged by the home administration, which is impatient of antiquated colonial notions, and desires, or is prompted to desire, the speedy extension of commerce and the opening out of the country to European settlers and speculators. In Act X. of 1859, which revises and codifies the whole law of landlord and tenant, we may clearly observe this new spirit, and trace the departure from the old regime in the power given to enhance rents. But this statute is a hesitating halfway measure, an attempt to compromise the difficult rent question, and like all half measures it pleases no one. It allows enhancement of the rents of hereditary tenants, but upon conditions which may bear so wide an interpretation that they give scope to endless litigation, and it throws the determination of the rates of rent on the revenue courts after all, when it really would, in most cases, be as reasonable to order them to settle the price of corn.

The enactment which followed to supplement Act X. 1859 (Act XIV. of 1865) is a sort of acknowledgment of the failure of another part of our old revenue system. It transfers to the revenue courts all rents for shares in profits of estates, and every kind of litigation between co-parcenary communities. All illusion as to self-working, self-managing, societies, is finally thrown aside, and the annual audit of accounts under the village banyan tree, the amicable division by a brotherhood of the common fund, turn out to be Utopian visions of simpler times, and the only sure method of bringing your ancestral co-parcener to book, is by the practical machinery of arrest or attachment. The enforcement of these processes is, as a last resource, committed to the milder regime of the revenue courts instead of the civil courts. Thus within thirty years have been thrown back upon the shoulders of a well meaning Revenue Board the whole labour and responsibility of keeping in working order the intricate machine that was patented as an Automaton. It is as if a man should have engaged to supply a self-acting punkah, and should be forced by the failure of his invention to carry out his contract by pulling it himself.

To return to our historic parallel. The revenue system in India has failed, like the arbitrary enactments of the Tudors in England failed, to do more than check the tendency of the country towards the economical stage of landlordism and the absorption of small tenures. Probably another generation will see tenant-right finally given over, and the small yeomen disappear. It may be urged that in other European countries they still hold their ground, but England is by far the safest country from which

Digitized by Google

to draw our inductions and examples, because England and her dependencies are perhaps the only spots on the civilized earth where systems are allowed to work freely. France is the standard instance against the tendency towards large properties, but in France the division of land among heirs is compulsory, while only seventy years ago all the large landowners in the country lost their estates by the revolution. It is futile to quote Russia or Austria. Land tenure there is a political, not an economical, institution. The despotic governments of the continent, notoriously of Germany and Poland, are fostering tenantright as a check against the noblemen and the towns. They deliberately set the ignorant peasant against his educated landlord, and in 1849, Austria crushed rebellion in Galicia by hounding on the tenantry to murder their landlords, and rewarding them with a distribution of the lands. The Bird and Thomason system, with the depression of the large talookdars, showed something like a tendency to the same disreputable policy, but after the mutiny we veered clean round, and it is only lately that the measures of Sir John Lawrence have checked the Oude settlement officers in full cry after unconditional landlordism in that province. Whether Sir John or the settlement officers are in the right, can only be discovered by experience. Up to the present time land tenures have grown by themselves under the varying influences of circumstances, and have been modified by a thousand different accidents, but nowhere has an enlightened government consciously and deliberately set itself to create or arrange them. The question has been over and over again argued as one (1) of law, (2) of policy, (3) of economy. We maintain that, in Oude at any rate, the prescriptive rights on which law should be founded are as strong on one side as on the other, and that Sir J. Lawrence is perfectly justified in enforcing his own theory if he chooses:—he has a 'tabula 'rasa' to work upon. From a political point of view the question is not quite so clear as it might seem at first sight. It is just at this period our plain interest to support and prop up large landowners, and to induce them to assist us in maintaining order and developing the country, but they may prove a very troublesome body hereafter, as soon as they have learnt the arts of combination and agitation. However this consideration certainly ought not to influence legislation upon the tenures. Probably all disputants base their opinions upon economical reasons, and this is at any rate sounder ground than law or policy, though political economy is a science by which no special case can ever be demonstrated from the general rules laid down in books, and the quotations from Mill, Jones, and other writers which are

Digitized by Google

piled up in articles and letters on the subject, serve only to mislead writers and readers who may attempt to work by the light thereof. A few very broad rules only can be laid down, and for the rest things must be left to work out their own results. It can never be predicated of a measure or a system that its tendencies or consequences will not vary utterly with time and place, although it may be impossible to see why it should vary, or to foretell the direction of the variation. Let us take the case of England and of Ireland, two countries separated by a narrow channel, and let us ask any one to tell us,—without writing a book as big as Buckle's civilization, full of special pleading,—why the system of putting up rents to competition, which has prevailed alike in each country since the landlords got possession of the land, has operated so differently. Yet we see that it has caused great prosperity on one side of the channel, and intense misery on the other. An Englishman, who could not get a good living at his village, went off to the towns or the colonies; the Irish stayed and swarmed on the over-peopled soil until sheer starvation on a grand scale drove them out. English landlords were not particularly remarkable for intelligence or unselfishness in the eighteenth century. Squire Western could not have been better than the owner of Castle Rackrent, certainly not half so pleasant good-natured a fellow, yet the English always pulled well with their tenants to the profit of all, while the Irish either ruined their tenants or got ruined by them.

But the *system* was not primarily in fault, and it will always depend on the people themselves whether systems do good or harm.

This much, however, may be laid down, that tenant-right is to a certain degree preferable to landlordism, because rackrenting is far more injurious to the common weal than impeded production. Whether the land is rendered more productive by capitalist landlords than by small proprietary farmers, is a question not yet settled,—but it is very sure that nothing is more absolutely ruinous than rackrenting. And it must be also recollected that the question of mere production is of far minor importance to that of distribution of wealth, in which last respect there is not much to be said for the system of large landlords, and a horde of daily labourers on the lowest wages which will keep body and soul together. It is much better for the mass of agricultural mankind to have at least the stimulus of a dozen acres each to do with as they like, with a certainty that increased labour will obtain increased profit, than to have the prospect, at twenty years, of working steadily at twelve shillings or even nine shillings weekly up to sixty, and

Digitized by Google

then to be presented at an agricultural dinner with a pair of leather breeches and half a crown in each pocket. The distribution of the good things of this earth,—profit, independence, and leisure,—is much more equal under the Indian than under the English system.

Let us take another point of resemblance between the economical state of the England of the Tudors and of Northern India at present. The silent operation of foreign commerce and manufactures, and the establishment of an irresistible order-keeping government, is now, as then, gradually reducing the authority and prestige of the great landowners. Formerly large bodies of retainers were necessary to every man of rank, and the maintenance of innumerable of servants was one of the very few luxuries within his reach, but the necessity has now disappeared, while foreign commerce has opened to him many pleasanter ways of self-indulgence, so that the great men are beginning to dismiss their retinues, and to spend their money on personal luxuries and sumptuous living.

It may be fairly questioned whether the latter style of magnificence is to be praised as compared with the former, though our European tastes always lead us to ridicule the old fashioned Central India rajah with his following of horsemen in chain mail armour, and footmen with enormous bell-mouthed blunderbusses. But it may be noted that the horses of the sowars and the swords of the footmen are usually undeniably good in their way, while the civilized rajah is generally furbished up with the third rate splendour of colonial stores. The competitionwallah, who in one of his letters calls a rajah a snob for insisting on paying visits of ceremony with a tail of followers, only shows by his remark how difficult it is even for a very clever man to realize or do justice to any set of ideas or form of society, except that in which he has himself been brought up.

But to return to our subject. The discharged servants are not only unable to fall back on the land for employment, but the new desires and wants created by the influx of foreign luxuries will drive the landlords of India, as it did those of England, to enlarge their farms and to eject the superfluous tenantry, in order to make the land yield better profit. They will next begin, they have already begun, to raise the rent, and if at this stage they give long leases to select tenants in return for an enhanced rent, the tenants may rise to the condition of the English farmer; if they rackrent, the tenants will sink to the status of the Irish cottier. The question depends partly upon the foresight and moderation of the landlord, and partly

Digitized by Google

upon the conduct and energy of the superfluous labouring population. All the misery and discontent among tillers of the soil, at various periods of history, may be traced to the attempts of the owners of the land to clear their overcrowded estates, and to the refusal of the squatters to move. However, there is in our opinion hope that the Indian up-country peasant will move. Even now he readily leaves his home and takes service any where between the Himalayas and Cape Comorin, while railways will of course immensely facilitate migrations. It may be asserted that the natives of Hindustan have less of the stay-at-home disposition than the inhabitants of inland English counties. In England the price of labour varies widely in different places, and far more than the price of corn, showing that commodities will always be transported to the dearest market, but that men will not always transport themselves. In India the price of corn will be found to vary much more than the price of labour in different places. This is of course accounted for to some extent in England by the operation of the Poor Law, and in India by the state of the roads, more practicable for man than for loaded carriage, but there is certainly a very free circulation in the Indian labour market, as is seen by the crowds of labourers from the distant north and south who are now working on the great Indian Peninsula Railroad in Central India.

We might wind up our attempt at historic parallel by an examination of the present agricultural state of England and Ireland, and by a speculation as to whether the economical stage into which, as we believe, India is just entering, will assume an English or an Irish development. But we have no materials or space for such a task, and, so far from the final or permanent stage (if any there be) having been reached even by these old countries, their condition is changing under our eyes. The English farmers are raising a cry against the refusal of the landlords to grant leases longer than for one year, and the corn land is again being fast thrown into pasture. The only permanent institution seems to be the poor labourers on nine or ten shillings weekly, and the workhouse as his goal. Of Ireland it may be said that she is recovering very slowly indeed from total prostration, under the drastic treatment of wholesale emigration. She is changing, and she cannot well change for the worse. No one should be bold enough to predict for India whether in 1900 A. D. short leases and rackrenting under absolute landlords, or endless litigation and chicanery between landlords and their inferior proprietors or hereditary tenants, will be in vogue, but it will be safest and most charitable to

Digitized by Google

anticipate, that this country will steer between Scylla and Charybdis a new and unthought of channel, which has not yet been laid down on the economical charts of agricultural history or science.

Digitized by Google

ART. V.—1. *Journals of the Agricultural and Horticultural Society.*

2. *Krishi Durpan, or Mirror of Agriculture,* by Hurry Mohun Mookerjee, Bengali.

3. *Krishi Patha, or Agricultural Lessons,* published under the auspices of the Agricultural and Horticultural Society, Bengali.

4. *A Lecture on the Productive Resources of India, delivered before the Dalhousie Institute,* by F. J. Mouat, Esq., M. D.

5. *The Minute of the Lieutenant-Governor.*

6. *Letter from W. S. Atkinson, Esq., Director of Public Instruction, to the Agricultural and Horticultural Society, No.* 2770, *dated the* 25*th August,* 1864.

THE man who makes two ears of corn to grow, where one used to grow before, is admittedly a benefactor to his fellow beings. 'To grow every tree that is pleasant to the sight and good for food,' is inculcated in the Scriptures.

It hence follows that the science that enables us to increase the productions of any one of the articles which ministers to the sustenance and comfort of human life, is a science of superlative importance, and every thing which contributes to its progress, promotes the happiness of mankind. But unfortunately, agriculture as a science has not been very progressive. It is only lately that it has received assistance at the hands of chemistry. The true principles of agriculture are comparatively new, and far from being generally appreciated.

The husbandry of the ancients was a very primitive affair.

The notices of agriculture in Egypt which occur in Strabo, Pliny, and Plutarch have been brought together by Sir Gardiner Wilkinson, in his very interesting work on the manners and customs of the ancient Egyptians, and are very copiously and happily illustrated by the drawings which that distinguished traveller has brought from the tombs. They vividly portray the different processes of Egyptian agriculture. They show us how the labourer and the beast plough, sow, reap, thrash, winnow, and how the owner watches the work, and the scribe with his desk and double-stand, containing black and red ink, receives and records the tale of corn and cattle.

We possess but scanty information on Grecian agriculture.

Digitized by Google

Attica was arid, Laconia marshy, and Corinth depended on foreign importation for her supply of food. The notices of agriculture in Herodotus and Thucidides are only incidental and convey no direct information of its condition. Xenophon occupied a farm near Smyrna, where he wrote his Economics, which treat of farming and gardening, but throw very little light on those subjects.

In Carthage, agriculture made greater progress than in Greece. The fertile provinces, owned by her in Africa, equalled Ireland in area. Her foreign colonies were chosen for purposes of commerce, but those within her territory were, at least for the most part, inland, and had been fixed upon for the promotion of agriculture.

'It was a general principle of Carthagenian policy to improve,' 'says Heeron, as much as possible the cultivation of their lands 'and to accustom the native tribes under their subjection to do 'the same. * * * They in fact appear to have attached more 'importance to agriculture than to commerce' 'It is plain,' says the same authority, 'that families of the first rank were in pos- 'session of large estates from whose produce they drew their 'income, while on the contrary there is not a single trace in the 'whole history of the republic of their being concerned in trade.'

The assertion of Cicero that a preference for trade and navigation and a neglect of agriculture and arms were the main causes of the weakness of Carthage has therefore slight foundation in fact. The kings and generals of Carthage did not think it derogatory to engage in the pursuits of agriculture and to indite treatises upon it.

'Mago, the Carthagenian, and Hamilcar' (says Columella) 'held it not beneath their dignity, when they were unoccupied by wars, to contribute by treatises on farming their quota towards human life.' We learn from several sources that the books of Mago on agriculture amounted to twenty-eight; that they were translated into Greek by Cassius Dionysius of Utica; that on the final destruction of Carthage, when the whole literature of the conquered nation was given over by the Romans to their African Atticus, these twenty-eight treatises were considered so valuable, that they were especially excepted, brought to Rome, and by the senate ordered to be translated at the public expense. Pliny says that D'Silames, belonging to one of the first families, surpassed the other translators. And the Books are treated as of great authority by Varro, Columella, Palladius, and Pliny, and in the appendix to Heeron will be found thirty-one distinct passages in which the maxims of the Carthagenian author are handed down to us. It is singular enough that not one of these

Digitized by Google

passages has any reference to the cultivation of any species of grain; one passage gives directions for the grinding or pounding of maiz, barley, lentils, vetches, and sessame. Another strongly recommends landed proprietors to be resident. 'He to whom 'an abode in the city lies close at heart, has no need of a country 'estate.' The directions for culture apply solely to vines, olives, the nut tribe, poplars and reeds.

In Rome agriculture flourished as far as it could flourish, all things considered, in the ancient world. The Roman agriculture was systematic, careful, accurate, and pains-taking, but was neither scientific nor favoured by artificial or adventitious aid. The agricultural writings of Cato, Varro, Virgil, and Pliny, do not show that any great progress was made in that art. They do not introduce us to any new improvement, and speak of no newly invented implements for economising labour.

We however gather from the early accounts of the Roman agriculture that the proprietors, unlike those of Ireland and Bengal, resided on their own land and personally co-operated with their tenants. Called off from time to time to war or council, when the requisition for their attendance and services had been complied with, they returned to their rural occupations. In a later stage, the attractions of imperial Rome proved too strong for the simple and healthy pleasures of the villa which was deliveredover to the custody of *Villicus*, corresponding to the *Naib* of Bengal. Cato gives the following useful directions to the farmer:—'When the proprietor arrives at the villa, and has paid his respects to the household gods, he should, if he possibly can, go round his farm that day; if he cannot do that certainly on the next. When he has completed his own inspection on the morrow, he should have up his bailiff and enquire of him what work has been done, and what remains to be done, whether the work is sufficiently forward, and whether what remains can be got through in due season, what has been done about the wine, corn, and all other matters. When he has made himself acquainted with these things, he should then compare the work done with the number of days. If work enough does not seem to have been done, the bailiff will say that he has been very diligent, that the slaves could not do any more, that the weather has been bad, that slaves skulked, that they have been taken off to public works. When the bailiff has given these and many other reasons, bring him back to the actual details of work done. If he reports rainy weather, ascertain for how many days it lasted, and enquire what they were all about during the rains. Casks might be washed and pitched, the farm-house cleaned, corn turned,

Digitized by Google

the cattle sheds cleaned out, and a dung-heap made, seed dressed, old ropes mended, and new ones made; the family might mend their cloaks and hoods. On public holidays old ditches might have been scoured, the highway repaired, briers cut, the gardens dug, twigs kidded, the meadow cleared, thistles pulled, grain (*far*) powdered, and every thing made tidy. When the slaves have been sick, they ought not to have had so much food. When these matters are pretty well cleared up, let him take effectual care that the work which remains to be done, *shall be done*. Then he should go into the money account, and the corn account; examine what has been bought in the way of food. Next he should see what wine and oil have come into store, and what has been consumed, what is left, and how much can be sold. If a good account is given of these things, let it be taken as settled. All other articles should be looked into, that if anything is wanted for the year's consumption it may be bought, if there is any surplus it may be sold; and that any matter which wants arrangement may be arranged. He should give orders about any work to be done, and have them in writing. He should look over his cattle with a view to a sale. He should sell any spare wine, oil, and corn, if the price suits. He should sell old draught oxen and bulls, cattle and sheep, wool and hides, old carts and old iron implements; *any old and diseased slaves*; and any thing else which he can spare. A proprietor should be seeking to sell rather than to buy.'

Columilla strongly recommends the landed proprietors of Rome to reside in their estates. He urges that a farm never produces so much as when it is occupied by the proprietors. His rules for the management of tenants are so applicable to Bengal that we cannot resist the temptation of quoting them:—

'A landlord ought to treat his tenants with gentleness, 'should show himself not difficult to please, and more vigorous 'in exacting *culture* than *rents*, because this is less severe and 'upon the whole more advantageous; for when land is carefully 'cultivated, it for the most part brings profit, never loss, except 'when assaulted by a storm or pillagers; and therefore the 'farmer cannot have the assurance to ask any ease of his rent. 'Neither should the landlord be very tenacious of his right 'in every thing to which the tenant is bound, particularly as to 'days of payment. On the other hand, the landlord ought not 'to be entirely negligent in this matter, for it is certainly true, 'as Alpheus the usurer used to say, that good debts become bad 'ones by being not called for. I remember to have heard it 'asserted by Clucius Volucians, an old rich man, who had been 'consul, that that estate was most advantageous to the landlord

Digitized by Google

'which was cultivated by farmers born upon the lands, for these 'are attached to it by a strong habit from their cradles. So indeed 'it is my opinion that the frequent letting of a farm is a bad 'thing; however it is still worse, to let one to a farmer who lives 'in town and chooses rather to cultivate it by servants than by 'himself. Sacerna used to say that from such a farm a lawsuit 'was got in place of rent.'

The agricultural curriculum of Rome was of the simplest description, a crop of grain and a fallow, one-third of the fallow was sown with some sort of grain-crop to be mowed for the cattle, and this portion of the fallow was only manured. The arable land was consequently manured once in six years, and in that period bore three grain crops and one green crop; the naked fallow received three or four ploughings during the summer, besides the seed farrow. The grain, which was wheat or barley, was sown in autumn. The general corn lands of Rome, like those of Bengal, but unlike those of England, were neither enclosed nor fenced. The Romans were however, acquainted with every species of fence and applied them to gardens, and orchards, pens, and parks.

The ancients attached due importance to the process of ploughing.

Adam Dickson, whose elaborate investigation of the cultivation of ancient ploughs evinces a good deal of research, arrives at the following conclusions:—

'The ancients had all the different kinds of ploughs that 'we have at present in Europe, though perhaps not so exactly 'constructed. They had ploughs with mould boards; they 'had ploughs without coulters and ploughs with coulters; 'they had ploughs without wheels and ploughs with wheels; 'they had broad pointed shares and narrow pointed shares, 'they even had, what I have not as yet met with amongst the 'moderns, shares not only with sharp sides and points, but 'also with high raised cutting tops. Were we well acquainted 'with the construction of all these, perhaps it would be found 'that the improvements made by the moderns in this article are 'not so great as many persons are apt to imagine.'

The Egyptian ploughs, as presented in the drawings, were mere mud scratchers, drawn sometimes by cows, with their calves skipping by their sides; and Pliny says that, on flooded land, he has seen a plough drawn by a donkey on one side, and an old woman on the other. Among the drawings from the Egyptian tombs, engraved for Sir G. Wilkinson, are several which represent ploughing, sowing, and other operations, and in one of these a roller drawn by two horses, driven with reins, is

Digitized by Google

introduced. The roller is hollow, supported by a frame work inside, in diameter about two-thirds of the height of the horses, and the drawing would be no inaccurate representation of a modern agricultural iron roller.

The Romans, in spite of their martial proclivities, paid much attention to agriculture. They took great pains not only in introducing the useful plants of the lands they subjugated into those they already possessed, but also in disseminating the knowledge of their own improved modes of culture throughout their vast dominions.

The East having been the first peopled and the earliest civilized, it is not to be wondered at that we are able to trace to its peoples the origin of agriculture as well as of other arts. It was in the East that the art of culture was discovered, and the transition first made from a nomadic state to that of a settled cultivator of the soil. The diversity of climate and soil contributed in no inconsiderable degree to the progress of that art, which however first assumed the shape of gardening. The earliest accounts of gardens we read of are in Syria, Assyria, and Persia. But ancient India was not behind those countries in the art of culture. That agriculture flourished in this country from time out of mind there can be no necessity to inform our readers. The importance in which agriculture was held in ancient India is evident from the following *slokas* of Parashur who flourished near the close of the twelfth century B. C. In his *Smiriti*—one of the oldest in Sanscrit he says :—

কণ্যে হস্তেচ কণেচ সুবর্ণ যদি বিদ্যতে।
উপবাসস্তথাপি স্যাদন্ন। ভাবেন দেহিনাং ॥
অন্নং প্রাণা বলঞ্চান্ন মন্নং সর্ব্বার্থসাধকং।
দেবী সুর মনুষ্যাশ্চ সর্ব্বে চা ন্নার্প জীবিনঃ ॥
অন্নন্তু ধান্য সম্ভূতং ধান্যং কৃষ্যা বিনানচ।
তস্মাৎ সর্ব্বং পরিত্যজ্য কৃষিং যত্নেন কারেরেৎ ॥
কৃষির্ধন্যা কৃষিম্মোধ্যা জন্তুনাং জীবণং জীবনং কৃষিঃ ॥

"One may have gold ornaments on his neck, and the same on his wrist and ears, and yet fasting shall be his lot if he has not rice to support him, for verily rice is our life, and rice is our strength, rice is the producer of all objects of desire; the gods, the demons, and men all live on rice. That rice proceeds from paddy, and no paddy can be had without agriculture; hence, forsaking all other occupations, men should apply themselves to agriculture. Agriculture is noble, it is pure, it is the life of living beings."

Digitized by Google

Again referring to the tending and rearing of cattle, the same authority observes :—

" গোশালা সুদৃঢ়া যস্য শুচি গোময় বর্জ্জিতা।
তস্য বাহা বিবির্দ্ধন্তে পোষনৈরপিবাজ্জ তাঃ ।।
শকৃন্মূত্র বিনিষ্ক্রান্ত্য বাহা যত্র দিনে দিনে।
নিঃ সরন্তি গবাংস্থানাৎ তত্রকিং পোষনা দিভিঃ ।।

" Whoever has cowsheds, securely built and kept clean and free from dung, his cattle thrive even without sufficiency of fodder. While, whenever cattle are allowed to issue from their sheds covered with filth, were it but once a day what avails it if they are well fed ?"

It appears from the Mahabharut that Asoca sent as a present to his ally Derenipiatiassa of Ceylon one hundred and sixty loads of hill paddy from Bengal, and Asoca flourished three centuries before Christ. The construction of reservoirs and the practice of irrigation were understood at as early an age by the Hindus as by the Egyptians. The Ramayana makes mention of canals for the purpose of irrigation. When Bharuta, the half-brother of Rama, was about to proceed to the Dekan in quest of him, his train is described by Valmic as comprising labourers with carts, bridge-builders, carpenters, and diggers of canals. And who knows that among those diggers of canals, there was not a village Cautley or a Cotton ?

The first query Rama put to Bharuta on his return from exile was, what is the news of the paddy, paddy being identical with the welfare and prosperity of the country. It was in ancient India what India maize was in ancient Mexico. It was not only the staff of life, but it represented the medium of exchange.

As an art agriculture was thoroughly understood by the ancient Hindus. Indeed, their skill in no other art was so remarkable. They excelled in it other nations of antiquity. They originated and early practised many improved processes of agriculture. They must have produced a great variety of natural products, and these products were objects of great desire to the Arabians and other races, as is evident from the fact that caravans entered into and departed from the north-western parts of India. The agriculture of India was contemporaneous with that of the far-famed, but not, as we believe, earlier civilized, Egypt. Rich in natural products, and early cultivated, having water near the surface, and its plains intersected by magnificent rivers, blessed with a diversity of climate permitting the introduction of northern as well as southern cereals, and a soil proverbially luxuriant, this country produced superabundance of food,

Digitized by Google

and thereby afforded facilities for the acquisition of knowledge and the early growth of civilization.

The effects produced by the soil of India on her material and moral condition afford the most striking illustration of the influence of physical law on the organization of society and the character of individuals,—an influence which has been so vividly and philosophically described by the late Mr. Buckle in his History of civilisation. The exuberant fertility of soil is at once the blessing and the curse, the glory and the degradation of Bengal. The connection of soil with the food of man is obviously intimate. The one is dependent on the other. That the food is influenced by the soil which produces it, needs no lengthened argumentation to prove. The united action of these agencies has a powerful effect in the formation of the character of nations—much more powerful than could be reasonably attributed to what are called inherent natural causes. 'Of all vulgar modes,' says Mr. Mill in his Principles of Political Economy, 'of escaping from the consideration of the effect of social and moral influence on the human mind, the most vulgar is that of attributing the diversities of conduct and character to inherent natural differences.' It is absurd to assume, as is often done by even distinguished writers, the existence of a difference which is oftener imaginary than real. The relation between race and temperament is at all events less real and susceptible of demonstration than the relation of the physical agencies and the fortunes of man. In the influence of society before wealth is capitalised, and knowledge is acquired, the progress of man mainly depends on the returns made to his labour by the bounties of nature. In India, these returns, thanks to the fertility of the soil and the heat and humidity of the atmosphere, were abundant. The result was that there was an excess of production over the consumption of the people, and this overplus produced accumulation of wealth, this again led to leisure, and leisure to the acquisition of knowledge. This surplus increased and swelled into a fund out of which individuals, or rather a ruling and an emigrant class, was supported, which did not produce the wealth on which they lived. That class was the Brahmins, who used what they did not produce, but who produced the Dursuns and the Poorans, the Ramayan and the Mahabharut. Besides, the cultivation of vegetables affords in itself an interesting and pleasing employment even to those who do not follow it as an occupation. Hence it has been observed to leave an humanizing effect on the mind of man, and to lead to the formation of orderly habits. Hindus became first civilized, because they had great facilities for pursuing the art of culture. Hence India, like Egypt,

Digitized by Google

Mexico, and Peru, became one of the earliest centres of civilization. But it was a civilization, neither diffusive nor progressive. It attained a certain height, and there it stopped. The very physical peculiarities which accelerated its growth rendered it afterwards stationary. The rich alluvial soil and fructifying heat, which secured to the ancient Hindus that abundance without which no mental and social progress can commence, impaired their energies and weakened their incentives to exertion. They failed to call forth that hardihood, and that steady, active, and inflinching industry, which in a less favoured soil and in a milder climate they might have exerted. In truth, where nature is exuberant in her gifts, the agriculturist is averse to sustained exertion. Possessing a fertile soil, the native of Ceylon cannot be persuaded to work under the coffee planters, who are obliged to import labour from the Carnatic. Bengal is no exception to the rule. Whoever has seen her vast plains, must admire the luxuriance and abundant fertility of the soil. We could dwell on the descriptions of the illimitable maidans adapted to the growth of the richest and rarest articles, of countless streams issuing from their bamboo-clad slopes, intersecting the length and breadth of the country, of the wall of brilliant foliage rising to their edge, and of the golden sunlight vivifying the productive powers of nature, and shedding refulgence on all around. But is the hand of man so active as we could wish in turning to advantage the bounties of nature? We trow not. The rich natural resources of Bengal are, we repeat, beyond description, and if the skill and energy of her inhabitants in subduing the earth could be exerted as they ought to be exerted, we should see wonderful progress made in all that can promote and adorn civilization. We should then see flourishing towns and smiling villages, where now reigns primeval jungle. We should see those vast *khets* which are now confined to those cereals, which they have been producing from time immemorial, a-blaze with other and richer crops paying hundred fold to the cultivator. We should witness plenty and happiness, where nothing is now to be seen but poverty and squalor.

When the Comte de Forlein, who had been, in 1687, Grand Admiral of Siam, returned to France, he was asked by Louis XIV. if Siam was an opulent country. 'Sire,' replied the ex-admiral, 'It is a country which produces nothing and consumes nothing.' 'That is saying a great deal in a few words' was the apt rejoinder of the grand Monarque. India, though she does not deserve the reproach to the same extent, produces, in spite of her exuberant fertility and inexhaustible resources, but comparatively little, and therefore consumes but little.

Digitized by Google

Why the natives have made so little progress, why the great mass of them are almost in the same condition in which they were centuries ago, is a question which forces itself on us at this stage of our enquiry. The solution of it is to be found, firstly, in the narrowness of their wants. They need but little, and their motives to exertions are but few. *Dhotees* and *chudders* constitute their clothing, *dall* and *bhat* their food, and a few *handies* and *lotahs* their furniture. The belongings of the baboos and rajahs certainly embrace a great many articles, but even their style of living is exceedingly primitive. As a rule they dine off rice and fish and curry. They invariably put off at home their shawls and silks, and sit on their carpets and *furashes* in a semi-nude state. Now this system of eating vegetable food, and wearing only *dhotees*, promotes an economy, which is very much opposed to the commerce and competition on which improvement in agriculture and manufacture depends. But the chief cause of the stagnation of these useful arts is the extraordinary state of isolation in which the ryots live. The want of intercommunication, and the consequent difficulty of conveying the produce, have naturally interfered with the development of the resources. Agricultural improvements would be useless where the surplus produce would be valueless, because it would not pay to convey it to market.

The evils of this isolation are greatly aggravated by caste and the social system. The aversion to travel in foreign countries, induced by the enervating nature of the climate, is fostered by the genius of Hinduism. The idea of leaving his country, his district, and even his village, for the purpose of bettering his fortunes, is repugnant to the feelings and habits of the genuine orthodox Hindu. Locomotion disturbs all his social and domestic arrangements, and is the bane of his happiness. Happily these prejudices are dying out among the educated natives, and we may expect ere long to see agriculture and manufactures no longer considered degrading occupations, and subordinate and even inferior employment under government preferred to them.

We have said that the East was the cradle of agriculture as well as of other useful arts. But, of all countries in the East, India is pre-eminently and essentially agricultural. The great mass of her people are agriculturists. They are employed in the production and reproduction of different commodities, such as sugar, cotton, rice, grain, peas, and other cereals and pulses. It is the ryot who represents the great bulk of the population, who supplies the sinews of war, who supports the village chowkeedar and pays *parbuny* to the new as well as the old

Digitized by Google

Police, who pays the rent and abwab which enrich the zemindar, who fills the coffers of the mahajuns by returning with cent. per cent. interest the money raised by him on the hypothecation of the crop, who covers the length and breadth of the country with its staple food, who cultivates the mulberry and the indigo, the tea and the coffee, which enable the European adventurer to return home after a few years of successful speculation.

The earth has been the great source of wealth here as well as elsewhere. The kings of ancient Hindustan levied almost all their taxes on the land alone, as the productiveness of agriculture was so greatly promoted in their opinion by the vegetating powers of nature. The present government of India depends almost wholly on its soil for its revenue. The land revenue is in fact the key-stone of its finance. It exceeds in value the whole export trade, and is considerably more than half the entire resources of the empire.

It is therefore no wonder that, in spite of the moral and physical drawbacks to which we have adverted, our agriculture has been on the whole steadily though slowly advancing. The success which has attended in many cases the introduction by the government of new plants and improved modes of culture has given an impetus to its progress.

The systematic investigation of our vegetation dates from the arrival in this country of Kœnig, a distinguished pupil of Linnœus. In 1769 he joined the Danish mission at Tranquebar, many members of which afterwards studied horticulture under him, and Dr. John founded the garden there. Kœnig afterwards received, on the recommendation of the Madras Medical Board, a monthly allowance from the government, with which aid he proceeded to the straits of Malacca and Siam, and transmitted a large number of useful plants of those regions to St. Helena. He continued to be regularly employed in the East India Company's service until his death in 1785. Dr. Russel succeeded him, and proposed to the Court of Directors to publish a select collection of useful Indian plants prepared by him. The proposal was sanctioned by the Court. Dr. Russel was succeeded by Dr. Roxborough, who published in 1795 a progressive work in which a preference was given to subjects connected with medicine, the arts, and manufactures. Dr. Roxborough always made his scientific discoveries tend to practical purposes. He discovered and cultivated with great success pepper in the hills of the Circars. But it would take more space than we can afford to spare to describe other useful cultures practised under the auspices of government, such as cotton, sugarcane, hemp and caoutchouc (*ficus elastica*) by

Digitized by Google

Dr. Roxborough, and of cochineal by Dr. Anderson. Suffice it to say that the Botanic Gardens over the water as well as that of Shaharanpore has been useful in introducing many important plants in this country, such as mahogany, pimento, nutmeg, safflower, and benzoin trees. The Agri-Horticultural Society of Calcutta has also been very useful in this way. It has earned our gratitude by its efforts for the promotion of the cultivation of cotton, coffee, tea, fibres, and other products. It has certainly not done as much as it ought to have done; but it has done enough to entitle it to the aid and encouragement of the public.

The Agrarian code of the British government recognised from the beginning the imperative necessity of encouraging agriculture as the basis of national wealth and prosperity.

The benefits intended to be secured by the Permanent Settlement and the necessity for depriving the revenue authorities of their judicial powers were pointed out in the preamble to Regulation II of 1793, which may be read with much advantage. It runs as follows:—"In the British territories in Bengal the greater part of the materials required for the numerous and valuable manufactures and most of the other principal articles of exports are the produce of the lands; it follows that the commerce, and consequently the wealth of the country, must increase in proportion to the extension of its agriculture. But it is not for the commercial purposes alone that the encouragement of agriculture is essential to the welfare of these provisions. The Hindoos, who form the body of the people, are compelled by the dictates of religion to depend solely upon the produce of the lands for subsistence; and the generality of such of the lower orders of the natives as are not of that persuasion, are, from habit or necessity, in a similar predicament. The extensive failure or destruction of the crops that occasionally arises from drought or inundation is, in consequence, invariably followed by famine, the ravages of which are felt chiefly by the cultivators of the soil and the manufacturers, from whose labours the country derives both its subsistence and wealth. Experience having evinced that adequate supplies of grain are not obtainable from abroad in seasons of scarcity, the country must necessarily continue subject to these calamities until the proprietors and cultivators of the land shall have the means of increasing the number of the reservoirs, embankments, and other artificial works by which to a great degree the untimely cessation of the periodical rains may be provided against, and the lands protected from inundation; and as a necessary consequence, the stock of grain in the country

Digitized by Google

at large shall always be sufficient to supply these occasional but less extensive deficiencies in the annual produce which may be expected to occur, notwithstanding the adoption of the above precautions to animate them. To effect these improvements in agriculture, which must necessarily be followed by the increase of every article of produce, has accordingly been one of the primary objects to which the attention of the British administration has been directed in its arrangements for the internal government of these provinces, as being the two fundamental measures essential to the attainment of it. The property in the soil has been declared to be vested in the landholders, and the revenue payable to government from each estate has been fixed for ever. These measures have at once rendered it the interest of the proprietors to improve their estates, and given them the means of raising the funds necessary for that purpose. The property in the soil was never before formally declared to be vested in the landholders, nor were they allowed to transfer such rights as they did possess or raise money upon the credit of their tenures without the previous sanction of government. With respect to the public demand upon each estate, it was liable to annual or frequent variation at the discretion of government. The amount of it was fixed upon an estimate formed by the public officers of the aggregate of the rents payable, by the ryots or tenants, for each beegah of land in cultivation, of which, after deducting the expenses of collection, ten-elevenths were usually considered as the right of the public, and the remainder the share of the landholder. Refusal to pay the sum required of him was followed by his removal from the management of his lands, and the public dues were let in farm or collected by an officer of government, and the above mentioned share of the landholder, or such sum as special custom or the orders of the government might have fixed, was paid to him by the farmers or from the public treasury. When the extension of cultivation was productive only of a heavier assessment, and even the possession of the property was uncertain, the hereditary landholder had little inducement to improve his estate, and monied men had no encouragement to embark their capital in the purchase or improvement of land, whilst not only the profit but the security for the capital itself was so precarious. The same causes, therefore, which prevented the improvement of land, depreciated its value. Further measures, however, are essential to the attainment of the important object above stated. All questions between government and the landholders respecting the assessment, and collection of the public revenue, and disputed claims between the latter

Digitized by Google

and their ryots or other persons concerned in the collection of their rents, have hitherto been cognizable in the courts of adawlut or revenue. The collectors of the revenue preside in these courts as judges, and an appeal lies from their decision to the Board of Revenue, and from the decrees of that Board to the Governor-General in council in the department of revenue. The proprietors can never consider the privileges which have been conferred upon them as secure, whilst the revenue officers are vested with these judicial powers. Exclusive of the objections arising to these courts from the irregular, summary, and often *ex parte* proceedings, and from the collectors being obliged to suspend the exercise of their judicial functions whenever they interfere with their principal duties, it is obvious that, if the Regulations for assessing and collecting the public revenue are infringed, the revenue officers themselves must be the aggressors, and that individuals who have been wronged by them in one capacity, can never hope to obtain redress from them in another. Their financial occupations equally disqualify them for administering the laws between the proprietors of land and their tenants. Other security therefore, must be given to landed property and to the right attached to it, before the desired improvements in agriculture can be expected to be effected. Government must divest itself of the power of infringing, in its executive capacity, the rights and privileges which, as exercising the legislative authority, it has conferred on the landholders. The revenue officers must be deprived of their judicial powers. All financial claims of the public, when disputed under the Regulations, must be subjected to the cognizance of courts of judicature, superintended by judges, who, from their official situations and the nature of their trust, shall not only be wholly uninterested in the result of their decisions, but bound to decide impartially between the public and the proprietors of land, and also between the latter and their tenants. The collectors of the revenue must not only be divested of the powers of deciding upon their own acts, but rendered amenable for them to the courts of judicature, and collect the public dues subject to a personal prosecution for every exaction exceeding the amount which they are authorized to demand on behalf of the public and for every deviation from the Regulations prescribed for the collection of it. No power will then exist in the country by which the rights vested in the landholders by the Regulations can be infringed, or the value of landed property affected. Land must in consequence become the most desirable of all property, and the industry of the people will be directed to those improve-

Digitized by Google

ments in agriculture which are as essential to their own welfare as to the property of the state, &c., &c., &c."

By Section 51, Act VIII. of 1793, rules were prescribed to prevent undue exactions from the defendant *talookdars*.

By Section 54, all proprietors of land were directed to revise in concert with their ryots the impositions upon the ryots under the denomination of *abwab*, *mhatool* and other appellations. And to consolidate the whole with the *assul* into one specific sum, and by Section 55, no new *abwabs* were to be imposed.

Owing to the interest taken by Government and enterprising individuals in the culture of indigenous products and a variety of other favorable circumstances which we shall not now attempt to review, our agriculture has of late been making rather rapid strides. The demand for our produce from all parts of the world has increased and is increasing very extensively. In 1838, the exports amounted in value to Rs. 61,479,472, consisting chiefly of agricultural produce such as opium, indigo, sugar, rice, cotton, wheat, flour, ginger, safflower, vegetable oils, hemp, jute, coarse clothes, and some animal substances such as raw silk, hides, horns, and elephants teeth. Since that period our import trade has increased in an accelerated ratio. The increase has been nearly 50 per cent since the last decade. The subjoined statement will support our position.

1841-42	1851-52	1861-62
£13,885,218	£19,879,254	£34,894,767

Within the last few years several articles of great commercial value have been added to our exports, such as oil seeds, jute, wool, coffee, and tea. The following table will show from how small a beginning the trade in these products has rapidly increased.

Value of Exports.

	1842	1852	1862
Oil Seeds	£2,377	£5,01,420	£11,97,469
Jute	2,494	1,80,976	5,37,610
Wool	77,591	1,00,612	4,00,342
Coffee	14,957	84,306	4,62,880
Tea	17,244	59,220	1,92,242

In the official year 1862-63, the total Exports amounted to Rs. 1,96,072,168.

In 1863-64, they were valued at Rs. 2,61,660,955.

In the last official year the monthly average of the value of the exports has exceeded a crore and a half, and in spite of the monetary crisis through which we passed, it amounts to nearly a couple of crores a month.

The gradual extension of our commerce and manufacturing

Digitized by Google

industry and wealth have caused a considerable, although not proportionate, improvement in our agriculture. A number of circumstances, in some measure accidental, have happened to coincide with those which might be more reasonably have been expected to occur during the last few years promoting, nay, enforcing the cultivation in Bengal. The Crimean War imparted an unprecedented impetus to the jute trade and seed exports. We had lately occasion to travel from Khoostea to Cooch Behar, and we found an immense increase in the culture of jute all the way. We found lands had been broken up which had never before been operated upon by the *naghul*, and jungles cleared, the tillage of which the ryots probably would never have otherwise authorised. In the pergunnah Baharbund belonging to Ranee Surnomoye, we learnt on enquiry that more than 100,000 biggahs of land are annually cultivated with Jute.

So the jute trade of India is of comparatively recent date. In 1835, for instance, the value of the exports was Rs. 36,949; ten years later it was 4,55,181; in 1862-63, it was 44,64,519. Jute enters largely into consumption as a substitute for Russian hemp. The demand for this article has been steadily increasing and for some purposes it has now replaced cotton. The vast requirements for packing and bagging are mostly supplied from pure jute. Dundee is the great emporium of this trade, but not all the yarn produced there is woven into textures; immense quantities of the finer numbers are used for producing mixed woolen and linen fabrics, and the coarser numbers are employed for the substratum of carpets. During the Crimean War prices rose from £15 to £16 per ton, to £35, receding again to from £16 to £18, but during the last two years, the article has taken a fresh start, aud prices have varied from £20 to £30 per ton and upwards.

Our readers know how the late American War raised the price of cotton and occasioned a large extent of land to be cleared and planted, promoting at the same time the culture of the old plantations. It is now four years ago that Mr. Roebuck said he hoped that the American War would last. Being asked why he entertained such a hope he replied because the war would make India. In truth the cultivation of cotton in the North-West provinces, Bombay, and Madras has increased to the exclusion of the cereals as evidenced by the high prices of grain ruling in those places. The influx of British capital has thus facilitated the progress of our agriculture. Going back to 1857, we see the financial and military operations of the mutinies caused a rise in the prices of agricultural produce. They created, so to speak, capital, and multiplied the number of

Digitized by Google

mouths for consuming food. To these causes which have united their forces in one direction must be added the general progress of the arts, and the rise in the price of agricultural produce, caused by increased exportation and increased local consumption. While there is this constantly increasing demand for our produce the appliances and means of supplying it should be improved and multiplied. It is time that the bounties of nature should no longer be neutralised by ignorance and prejudice.

In the Agricultural Exhibition which was held in Alipore in January last, we recognise a powerful instrument for attaining this end. It has well served its purpose in drawing the attention of the people to our deficiences, in awakening their curiosity and in rousing the national mind from the torpor of ages.

It was during the year 1863, that our Lieutenant-Governor proposed and matured a scheme for holding, in the suburbs of Calcutta, a public Agricultural Exhibition for the purpose of promoting an improved system of agriculture throughout the country, and more especially for drawing the attention of Zemindars to the subject and exciting their interest in it. The immediate object of the scheme was to bring together from all parts of the country for the purposes of show, competition, and eventual sale, cattle and other live stock, agricultural implements and machinery, and all kinds of produce. For carrying out the details of the exhibition, arranging preliminaries, and communicating with intending exhibitors, a provisional committee was appointed under the presidentship of Mr. Grote. In correspondence with this committee the Commissioners of divisions were directed to appoint local committees in each district. These local committees were very effective. They explained the object of, and the benefits which may be expected to result from, such an exhibition, to the zemindars, and obtained their co-operation and assistance.

The preliminary arrangements having been completed, the exhibition was inaugurated on Monday, the 18th January, 1864, at half-past ten o'clock, with an *éclat* and display commensurate with its high object. There was not only a large gathering of the rank and station, the wealth and intelligence, the beauty and fashion, the piety and learning of the metropolis of Asia; there were also the representatives of different castes and creeds of the country. There was the Nawab Nazim of Bengal and other Mahomedan chiefs gazing with wonder, not unmixed with admiration, on the collection of machines illustrating a civilization different from their own. There were Hindoo Rajas and Maharajahs bedecked and bejewelled, moving in a slow and measured pace round the show with their retinues,

Digitized by Google

as if locomotion were something derogatory. There were the judges, the legislators, and other high officials assisting in celebrating this jubilee of industry and peace. There were British merchants and manufacturers taking a pardonable pride in the products of British skill and mechanical genius ranged in beautiful order around them. There was England shaking hands with Bengal, and teaching her by example to encourage agricultural industry, and to recognise in her the one great source of national prosperity and advancement. The members of the Central committee and the judges for the award of prizes, assembled at the exhibition yard, at a quarter past ten o'clock. They then formed themselves into a procession, ranged in twos, and escorted the Viceroy and suite to the saloon tent.

His Excellency presided on the auspicious occasion, and was supported on his right by the Hon. the Lieutenant-Governor. The platform was filled with the gentlemen of the committee and other officials.

The proceedings were opened by Mr. Crawford's reading the report of the exhibition.

Mr. Beadon, the projector of the exhibition, made an effective and impressive speech. He said that in presenting his Excellency with the report which had just been read, and asking him on behalf of the committee to inaugurate this exhibition, he had little to add on the subject; but he might be permitted to remark what he had no doubt had occurred to all of those present—that it was a circumstance of happy omen that this exhibition, designed to promote the agriculture of Bengal, should be opened under the auspices of a statesman and ruler, who when charged with the administration of the Punjab, was conspicuous for the encouragement he gave to every promising scheme of agricultural improvement. He thought it but justice to say that the idea of this exhibition had been suggested to him by the conversation he had early last year with a gentleman well known as an agriculturist, and now a member of the committee, Mr. John Stalkart. Mr. Stalkart had expressed to him a very strong opinion that the cattle in Bengal had greatly degenerated, and that unless some means were taken to renovate and to improve the breed it was not improbable that this degeneration might continue until it eventually reached a point at which the cattle of Bengal would be insufficient both in numbers and in strength for the tillage of the soil. Without entirely agreeing in this opinion, it certainly appeared to him that the time had come when something should be done by the Government towards awakening in the minds of the native public, and especially of the Zemindars and other holders and farmers

Digitized by Google

of land, interest in the practical operations of agriculture, and it naturally struck him that this might be best effected by giving them an opportunity of inspecting and comparing the best specimens of home-bred and imported stock, as well as of personally communicating, both with each other and with the enterprising and intelligent Englishmen and other Europeans who have embarked in agricultural undertakings. Hence the idea of this exhibition. On suggesting it to the Agricultural and Horticultural Society of India, a body which chiefly by private means and with comparatively slight assistance from the Government had rendered eminent service to agriculturists in Bengal during more than a quarter of a century, and which now pursued the same course under the able presidentship of Mr. Grote, it was favourably received, and the Governor-General in Council had liberally sanctioned an advance of Rs. 50,000 for carrying it out. With the assistance of the Agricultural and Horticultural Society a provisional committee had been formed and it was through this committee that the results now presented to the public had been accomplished. The Lieutenant-Governor concluded by saying that his thanks were due, cordially due, to the committee and to every member of it for their cordial and successful endeavours to promote the undertaking. The Viceroy expressed his satisfaction at finding that the first public occasion on which he had been present was one connected with the advancement of agriculture. His Excellency observed that in a country like India, which was poor in comparison with its vast extent, and in which the commerce was small, relative to the numbers and to the productive powers of the population, it was on the progress and success of agricultural operations that national prosperity must so largely depend. Therefore, it was that he so highly appreciated the objects of the present exhibition, and admired so much the care and skill with which effect had been given thereto. It was impossible, His Excellency continued, that the intercourse of various persons gathered together from all quarters with the common object in view of improving agriculture, and the display of products collected from many places, or of machinery calculated to stimulate production, should fail to cause manifold benefits to arise in the future. In no department was there greater need of practical and scientific knowledge than in that of agriculture. Therefore, he hoped, in concurrence with what had fallen from Mr. Beadon, that exhibitions such as that which was now being inaugurated might be the fore-runners of similiar useful displays in other parts of the Empire, whether in Bengal proper, or in the North-West, the Punjab, Oude, or the central provinces.

Digitized by Google

The hopes in which the Viceroy indulged in his speech have been happily verified. In his minute on the report of the Alipore Exhibition, Mr. Beadon, having proposed the establishment of annual divisional shows within this presidency, the Government of India readily sanctioned the proposal, and his Honor communicating with the several Commissioners proffered a donation of 3,000 Rs. for each show.

The first divisional exhibition was held at Dacca early in December. Sheds had been constructed along the sides of a large tank in the old cantonments; in these were located animals, poultry, country produce, and manufactures. The collection, however, was poor, and did not give an idea of what Eastern Bengal could produce. Neither Backergunge nor Sylhet contributed their full quota. Kachar, the tea garden of India, was very poorly represented. Mymensing did its little best and carried away most of the prizes. The total subscription of the districts comprising the Dacca division, amounted to Rs. 20,400. This sum added to the Government subscription of Rs. 3,000 should have secured a better display if the central committee had done their duty. The ceremony of opening the exhibition was however but little successful, nor did the speech of Mr. Buckland, Commissioner, threw any light on the objects of the local exhibition.

This was, however, the first attempt to introduce a system of local agricultural exhibitions and ought not perhaps to be viewed with critical eyes; it must also be remembered that it took place in a part of India which suffers grievously from the want of proper communication and means of conveyance.

In connection with the proposed Divisional Exhibition at Burdwan a local and preliminary exhibition took place in Midnapore. It was held in the circuit house, on Monday, the 16th January, and was, like the Dacca one, a failure; the articles exhibited were neither of rare nor even good quality. The management of the whole affair was marked by utter want of good taste and good feeling. In describing the scene a newspaper correspondent thus dwells on the extreme inconvenience experienced by the spectators. "The spectators, save a few head Amlahs and Vakeels of the principal courts, and some well-known zemindars and inhabitants of the station, were allowed to remain standing, indiscriminately, for hours under a tropical sun, enveloped in a thick cloud of dust, and learning severe lessons of patience, as much from these physical agents as from the abuses, insults, and staves of the police constables."

Amidst this confusion, Mr. Hobhouse, the Judge of the district, declared the exhibition open to the public and the confusion was

Digitized by Google

afterwards worse confounded. The opening was followed by a promiscuous rush, in which the strong pushed the weak to the wall; there were no addresses calculated to impress the minds of the assembled spectators with the importance of the undertaking. The next day, when Mr. Hobhouse distributed the prizes, there was the same want of arrangement, giving rise to confusion and heart burnings.

It is refreshing to turn to the Tirhoot Exhibition which proved a success; it was held in Mozufferpore, on the 17th January. The Exhibition, though confined to live stock and produce, was as complete as could be expected. Neither money nor labour were spared to make it so. The public subscription was nearly eight times that of the Government. It amounted to rupees 23,333. The number of prizes offered for competition was 1,275, and their aggregate value rupees 18,996. These results must be pronounced satisfactory, and were highly creditable to Mr. Cockburn, the Commissioner of the division and the President of the central committee. The opening ceremony was very imposing. A considerable body of the Native and European gentry of Tirhoot, Patna, and the surrounding districts were present. They were assembled under a large Sameanah. The presence of the Lieutenant-Governor added to the éclat of the show and evinced the lively interest taken by him in the Divisional Exhibitions. Mr. Cockburn opened the proceedings by explaining the objects and advantages of Agricultural Shows in general, and the special circumstances attending the establishment of the Tirhoot show. His speech was full and lucid, and made a profound impression. The Lieutenant-Governor prefaced the formal inauguration with a few appropriate and hearty sentences. He noticed the existence in a high degree of all the conditions and indications of success of the exhibitions. He rejoiced to observe that a spirit had been awakened among the zemindars of Behar which promised yearly an increasing interest in these competitive shows and a higher appreciation of their utility.

The Rajshahye Exhibition was opened on the 17th January, by Mr. Campbell, the Commissioner of the Division. The little world residing on the other side of the Pudma attended, and the arrangements reflected great credit on the taste and judgment of the Rampoor Beauleah committee, and their executive, Mr. Ferrar. The site selected for the exhibition was eligible, and the entrance gates and sheds were very tastefully erected. There was an enormous display of grain. The various qualities of rice contributed by Rungpore attracted great attention. The same district also carried away the palm in sugarcane.

Digitized by Google

The silk filatures of Messrs. J. and R. Watsons contributed some valuable specimens which were much admired. The Commissioner inaugurated the exhibition in an exceedingly appropriate speech. After dwelling on the advantages of agricultural exhibitions in this country, he pointed out the mistake often made by people, in supposing that no improvement could be looked for from ryots, and that nothing could convince them that the practices of their forefathers were not the best possible. He expressed his belief that there were no more practical people than those of this country, and that as soon as a ryot thoroughly saw it was to his advantage to change his system or his implements, always provided, of course, the change was within his means, that instant he would adopt it.

In support of his position Mr. Campbell instanced the vastly increased cultivation of jute, cotton, and date trees. But inasmuch as the ryot unassisted could not do much, he suggested that agriculture should, as in England, be taken up as a means of livelihood by a richer class than at present, and the great lords of the soil should, also as in England, take a lead in the matter, and evince a practical interest in it. He most strongly recommended to the zemindars of Rajshahye to keep six hundred or eight hundred Biggahs of land in their own hand, to cultivate it by their paid servants, and to make various experiments in agriculture.

The Bhaugulpore exhibition followed on the wake of those of Rajshahye and Mozufferpore. It was inaugurated by the Lieutenant-Governor, on Monday, the 23rd January. It could not but suffer by comparison with the Mozufferpore Exhibition. But considering that a very large portion of the Bhaugulpore division *viz.* the Santhal country, is barren and overrun with Jungles, that Poorneah was not sufficiently represented, and that Moonghyr and Bhaugulpore do not boast of large zemindars or planters, the exhibition was creditable and full of promise for the future. Both the live stock and the produce were well represented. The display of the small gynees and ponies was very satisfactory, and that of the cereals no less so. Moonghyr supplied thirty-five head of cattle, seven horses and ponies, twenty-six sheep and goats, twenty-six specimens of poultry and agricultural produce comprising wheat, gram, potatoes, ghee, honey, tobacco, mustard and coffee. Bhaugulpore besides supplying similar articles exhibited tussar cocoons.

The Santhal districts sent fifty head of cattle, twenty-seven sheep and goats, fifty-four head of poultry, rice, paddy, goor, and ghee. The public subscriptions amounted to rupees 11,748. Of this sum rupees 6,000 were appropriated to prizes, and the balance expended in buildings, &c.

Digitized by Google

The Burdwan Exhibition was also opened by the Lieutenant-Governor. It was held on a spacious piece of ground admirably adapted to the purpose, being close to the Railway station, and having a large tank for the use of the cattle. In consequence of the damage done by the October cyclone, the central committee had thought of following the example of Nuddea, and postponing the show till 1866, but it was luckily determined otherwise, and the result fully justified the expectations of those who, like Baboo Joy Kissen Moockerjea and others, had counselled that the exhibition should be as originally contemplated. The collection of live stock, produce, and manufacture was magnificent. The general arrangements within the exhibition yard were very satisfactory. On the boundaries of the enclosure stood clean and comfortable sheds where the cattle and poultry were located. There were an hundred specimens of cattle. Amongst the prizes two were awarded for two Patna wethers and for a pair of ewes and a ram said to have been bred at Beerbhoom. Many of the Bullocks and cows exhibited were large-boned, and several of them of fair size. The manufactures and agricultural produce arranged in different classes were tastefully laid out on the ground. The latter comprised twenty sorts of rice, several samples of fine tobacco, and three specimens of cotton. There were also samples of shellac, lac-dye, silk, grain, and seeds of sorts. There are also large and rich specimens of silk cocoons from Radhanagore and Ghuttal.

The Burdwan Exhibition commenced on Monday, the 30th January, and lasted till Saturday the 4th February. Judging from the variety and quality of the articles exhibited, the Burdwan show was quite as successful as any other divisional show, and in point of order and arrangements and tasteful decorations it surpassed all.

The Chittagong Exhibition is next in turn, but came far behind the other exhibitions. It must, however, be remembered that the Chittagonese are not so advanced as the people of Burdwan, and are therefore less able to appreciate the objects of the exhibition. The department of live stock was, however, fairly represented, and numbered some monstrosities. There was a sheep with three legs and a chicken with one leg. There were also a couple of huge animals resembling buffalows, but with their precise designation we are not acquainted.

The Cuttack Exhibition was as unsatisfactory as that of Chittagong. It was opened on the 22nd February, and closed on the 24th idem. The gathering of the local gentry was fair. But neither the quantity nor the quality of the specimens exhibited, was such as to be calculated to impress the beholder

Digitized by Google

with a favorable idea of the resources of the Division. Rice was not well-represented, despite of Cuttack being one of the best rice producing districts. The display of oil seeds was however good, linseeds and teel seeds being the staple products of the Province.

The Chota Nagpore Exhibition is the last in the list. It was held in connection with the annual fair at Chooteah near Ranchee. This fair attracts a large number of the chiefs and zemindars as well as the trading and agricultural classes, and the influx on this occasion was more numerous than usual.

The Exhibition was formally opened on the 22d February by Colonel Dalton, the Commissioner. A large tent was provided for the occasion with seats for the ladies on one side, and for the native princes and chiefs on the other. Among the latter were the Maharajah of Ramghur, the Rajah of Jushpore and the Thakoors of Govindpore, Kursaon and Keera. Two companies of a Punjab Native Infantry Regiment lined the space in front of the tent. The Commissioner delivered an able and impressive address. Among the articles exhibited, were various sorts of finely-made Tea contributed by the Ramghur Company, Coffee contributed by Mr. Herzog, Cotton from foreign seeds contributed by Mr. A. G. Wilson, and Shell lac and Lac dye by the Chota Nagpore Company. This display was enough to show that most valuable products may be successfully cultivated in a province where labor is still cheap and abundant.

The results of these divisional exhibitions afford in every way great inducement to go on with the scheme of periodical shows propounded by Mr. Beadon, and sanctioned by Sir Charles Wood.

In the Dispatch of the Home Government to the Viceroy and Governor-General, Sir Charles Wood expresses his satisfaction with the report submitted by the local Government on the Alipore exhibition. He sanctions the proposal for the expenditure of a sum not exceeding three thousand rupees annually, for the promotion of an agricultural show, in each of the ten divisions of Bengal, placing the limit of one year upon the grant, and suggesting the union of two or more of the divisions for this purpose, as it would diminish the number of small exhibitions, and extend the circle of competition. Sir Charles Wood looks with favor upon the proposal of the Bengal Government for holding triennial Exhibitions at Calcutta, and accords his sanction to the next show being held in 1869-70. He also suggests that prizes should be regulated on the principle of utility, and not of the curiosity or monstrosity of the articles exhibited.

Digitized by Google

In connection with the regulation and revision of Prize Lists and other details regarding future agricultural exhibitions we are glad to notice that the Council of the Agricultural Society has addressed a sensible letter to the Secretary to the Government of Bengal. They lay before the Government the following suggestions:

1*st*. The desirability of drawing up a well considered Prize List, for general adoption.

2*nd*. A more careful definition in such Lists of the objects for which the Prizes are offered.

3*rd*. The allotment of a considerable proportion of the Prizes given at each Show, for competition by all-comers.

4*th*. That the recurrence of the Shows should be held at stated intervals, not less than two years elapsing between each Show in the same place.

As regards the adoption of the first suggestion, which is tantamount to having an uniform Prize List for all the local shows, we agree with the Council, that the progress made in agriculture and in improving the breeds of cattle in a district, will be more readily realised by the aid of an officially prescribed prize list, than by leaving the drawing up of the list, from time to time, to officials and residents of the district. There is certainly no guarantee that in any of the districts in which agricultural exhibitions have been held, the persons interested and employed in carrying out such shows, will be the same when the time comes for another to be held.

The exhibitions of which we have endeavoured to give a sketch, are in our judgment eminently calculated to impart increased knowledge of the resources of this country and also of those of other countries, which, whilst it inspires a just confidence in the children of the soil, must also create in their minds a feeling of respect for England, where horticulture and agriculture have been carried to the highest perfection. They tend to illustrate the principles of reciprocal dealing by which the peculiar advantages of one community may be interchanged for those of another. Among their other effects, we may calculate on the opening up of an enlarged field of commerce, and the infusion of a more liberal spirit into commercial transactions by which agriculture and commerce will grow together. The metropolitan as well as the divisional exhibitions incontestibly prove that the strength of Bengal, if she could but know it, lies in her natural productions. The purely agricultural collections at Alipore, Mozofferpore, Rajshahye and Burdwan were equally varied and valuable, affording an excellent idea of the rich variety of soil. They shows that

Digitized by Google

the indigenous resources of the country are incalculable and inexhaustible, and capable of enriching her now toiling millions. She abounds in agricultural and animal products, in cereals, pulses, and spices, of a hundred different kinds, in an infinite variety of vegetable fibres and animal furs, in gums and innumerable medicinal substances, in mines of copper, and beds of iron and coal. What therefore is wanted is to utilize these bounties of nature and render them subservient to the comfort and happiness of man.

The Hindu mode of culture may in some respects seem peculiar, as in sowing several kinds of seeds, like *mashkalye* and *teeshe* or linseed together, and collecting the different crops as they successively arrive at maturation. The Hindu agriculturist may not have large capital or machinery, but he is not deficient in either industry or intelligence. He may be a conservative being, and averse to change, using the same agricultural implements and resorting to the same methods as were in vogue in the days of Vicromadyatia, but it is because he truly and firmly believes in their excellence. He may be wedded to antiquated and absurd prejudices, but he is not so blinded by those as to be incapaciated from adopting new methods and practices when he discovers them to be useful and profitable. He is in truth keenly alive to the profitable results of industry. His pliability and exemption from incurable prejudices have been abundantly proved by the fact of his having adopted new modes of cultivation, and taken to the rearing of new staple products. He is not much worse off than, or very far behind, the old fashioned agriculturist of England and Scotland, who implicitly believed that the four course shift with turnips consumed by sheep where they grew was self-sustaining, sufficient virtue existing in his opinion in the feed of the sheep to set at naught a principle which had been sanctioned by experience in every eye and clime.

But the ryot, though endowed with intelligence of mind and activity of body, is yet unable to use either properly or fully for his benefit; he is like a stalwart man reduced by starvation to a skeleton. What then we ask can clothe him with flesh and blood? We reply, agricultural knowledge. The bearings of this knowledge on the activities by which the mass of the people obtain their means of livelihood are most numerous. Employed as they are in the production and preparation of different commodities, efficiency in the use of the methods and processes for the same chiefly depends on an intimate acquaintance with their physical and chemical properties. Agricultural knowledge is the sound and proved basis of commerce and trade. There can be

Digitized by Google

no trade without products to trade upon. Commerce is, so to speak, the culmination of Agriculture. It is the exchange of its superfluous produce. Agriculture affords sustenance to the animal kingdom and thereby advances a claim to be regarded as the most useful and necessary of sciences.

Agriculture affords sustenance to the animal kingdom and thereby renders it subservient to our use. The silkworm cannot spin its silk if deprived of the nutriment of the leaf, nor lac insects elaborate their dyes without their vegetable food. The development of our mineral resources is also dependant on agriculture. The coal mines of Raneegunge and the iron mines of Beerbhoom cannot be worked without your khalassees and dhangurs and those men must be fed. The price of their food depends on agriculture.

That the revenue would be increased ten-fold and its burdensome weight diminished by teaching the ryots, who are the producers of it, the principles which should regulate their operation does not admit of a moment's question. That this is the only way of obtaining a larger quantity of exportable products the duties on which would largely increase the customs revenue must follow as its legitimate consequence. Agricultural knowledge is needed alike by the ryot and the zemindar. We do not deny that there are some zemindars who are possessed of this knowledge and who have doubled the rents of their estates by skilful irrigation, drainage and the introduction of improved processes of cultivation, but it must be admitted that they are the exceptions and not the rule. The great majority of zemindars are innocent of that knowledge which can alone turn their properties into the best account, which would exert a most beneficial influence upon their worldly prosperity and place their children and relatives above the necessity of Government service which is now looked upon as the *summum-bonum* of existence.

They think the whole duty of man consists in exhausting the soil and squeezing the ryots. To levy the largest amount of abwab with the least possible trouble and expense and to fritter away their resources in poojahs and nautches is the *ne plus ultra* of their ambition. We do not mean to represent the native zemindars as inherently and incurably rapacious. They are not *per se*, avaricious or wicked, but, circumstanced as they are, most of them become the oppressors instead of the protectors of the ryots. The best of us might have been just as bad if we had been trained in their school. The indifference of the zemindars to the rights of the ryots and his backwardness in improving his own estates is a natural and inevitable effect of his

Digitized by Google

ignorance. He is not only ignorant of the duties of his position and relations to the ryots, but of the identity of his financial and worldly prosperity with that of the latter. He is ignorant of the capabilities of the soil and of the advantages of enabling his tenants to improve and enrich it. Remove this ignorance, arm him with knowledge of the scientific principles of agriculture and he will change the face of his zemindary.

We must begin with the soil. Whether the creation of a surplus revenue or the amelioration of the condition of the people be the paramount object of the Government, the dissemination of agricultural knowledge is the most efficient means to accomplish it. The native agriculturist should know that it is an essential principle in agriculture that those substances which have been abstracted from the soil for a series of years must be restored to it in the shape of animal, or mineral, or vegetable manure. The law of depletion and repletion obtains as much in the vegetable as in the animal economy. It is well known that the deprivation of sustenance in animals is followed by emaciation of body. It is the result of the consequent diminution of weight, and the decrease of fat and muscles. In the same manner the abstraction of the substance of the soil causes its impoverishment and barrenness. True, the soil of Bengal is noted for its exuberant fertility. But it must be remembered that no soil however rich and fertile can maintain its fertility if the phosphates and other elements which have been removed from it are not replaced by manures. Agriculture depends on the great principle of the restitution of a disturbed equilibrium. Neglect of this principle has caused the exhaustion of innumerable fields in the country.

Let the agriculturist act up to that principle and the produce of his khets will be doubled. He should also know the thousand and one manures with which the country abounds, the animal exuvea and vegetable moulds which are always at his disposal and which it requires knowledge only to turn to account. But the waste of manures is terrible, and exhibits an amount of ignorance and indolence which must be deplored. We have seen hundreds of villages and towns in Bengal in which there were heaps of well decomposed cow dung, ashes, stable manures, and compost, as well as a vast mass of sewage. Indeed, the utilization of sewage is now considered as one of the most important means of improving agriculture in England, and the aid of Parliament will soon be invoked for the promotion of schemes having this object in view. It is time the subject should be thoroughly understood in India. The drains of our cities and towns and even the interior of the houses and shops abound with sewage. The

Digitized by Google

aggregation of moodies, mahajuns, and other classes of men into large masses, and the uncleanly habits in which they have been nurtured have produced this result. Sewage which is prejudicial to animal life may under wise management supply vegetable life with nutriment which will considerably increase its fruitfulness. The same process which removes miasma and a prolific cause of death and disease increases the production of food. What reeks with poison may be converted into an inestimable boon.

All that is wanted are cheap means of conveying the sewage from the houses and drains into maidans and gardens. The subject of the application of sewage to tillage has already commenced to engage the attention of the Calcutta public, as evidenced by the establishment of the salt water lake Reclamation Company. We regret to see it has for the present collapsed, but we have reason to believe that the very favorable report of the Government Commissioners which has just been submitted, and the returning healthness of the money market, will lead to its resuscitation. We yet trust the efforts of this company for the reclamation and extended cultivation of the Soonderbunds may be crowned with success.

The native agriculturist should also understand what are technically called the fallow or the repose of the fields. Let him comprehend its chemical action and he will at once see the necessity of it. Let him know that by the action of oxygen and carbonic acid, rain, and other atmospheric changes, the hard constituents of the soil are softened and rendered soluble in water and become fitted for assimilation by vegetables. Let him be assured that this is far more important than the mere mechanical operation of the heavy anchor-looking babulwood plough and the ladder-like *bida*.

The agriculturist should know that fallows do not necessarily imply cessation of cultivation, but that alternations of crops maintain the fertility of the soil quite as well as its entire repose. Different plants requiring for their growth and development different elements of the soil, alternations of those plants will obviate the impoverishment of the soil, which is caused by the cultivation of the same crops in the same fields for successive seasons. Besides these cardinal principles of agriculture he should know other important things. It is well known that a garden is generally attached to the *bheeta* or homestead of the principal ryots of the village. It consists of the bamboo, mangoe, jack, cocoanut, beetlenut and other fruit trees, but the want of pruning, digging and manuring must in a great measure interfere with their fructification. We have seen mangoe topes consisting of 200 trees planted at only some

Digitized by Google

cubits distance. An acquaintance with the common rules of scientific gardening will enable the ryot to avoid these mistakes.

'Perfect agriculture,' says Leibig, the profoundest of modern agricultural chemists, 'is the true foundation of all trade and 'industry—it is the foundation of the riches of States. But a 'national system of agriculture cannot be formed without the 'application of scientific principles, for such a system must be 'based on an exact acquaintance with the means of nutrition of 'vegetables and with thei nfluence of soil and the action of 'manure upon them.' This knowledge must be imparted to the native agriculturist. It will enable him to ascertain the chemical conditions necessary to the growth and development of the vegetables cultivated by him, and the relations and properties of those inorganic substances which afford nutriment to those vegetables. An acquaintance with their conditions is essential to the profession which has been justly described by the author just quoted as the most important. 'There is no profession', says he, 'which can be compared in importance with that of 'agriculture, for to it belong the production of food for man and 'animals; on it depend the welfare and development of the whole 'human species and the riches of states and all commerce. There 'is no other profession in which the application of correct 'principles is productive of more beneficial effects or is of 'greater and more decided influence.' Hence it is absolutely necessary that the native agriculturist should understand the constituent elements of plants and the assimilation of those elements, the composition and chemical constituents of the soil, the action of manure on it, its disintegration by means of tilling fallow land, and alternation or rotation of crops. We do not mean to say that his mind should be stuffed with the theories of a Linnœus and a Decandolle, a Schleeden and a Brown, a Lindley and Griffith, a Hooker and a Thomson. This is neither desirable nor practicable. He need not know the origin of carbon in plants or the absolute quantity of oxygen contained in the atmosphere, or the cause of the want of affinity in nitrogen, to enter into combination with other substances. These investigations are not essential to the practice of his profession. 'The chemistry' says Mr. Solly 'which may benefit 'the agriculturist is neither philosophical chemistry nor the 'chemistry of the laboratory, but it is what may be termed 'the chemistry of nature, those simple and elementary rules 'which affect the ordinary operations of nature or of art cons-'tantly going on before us.' He requires the knowledge of the methods of applying the discoveries of science to the improvement of Talooks and Jotes. He should, for instance, know that

Digitized by Google

carbon, oxygen, nitrogen and hydrogen are the constituents of plants, and that the proximate principles of which they consist, are the results of the combination of those principles. He should know that combinations of carbon with oxygen and hydrogen constitute the mass of vegetables. He should know that the fertility of the soil, is mainly influenced by its chemical constituents, such as soda, potash, magnesia, lime, phosphate of lime and other alkalies, earths, and phosphates which are essential to the growth and development of plants. He should know that those substances afford the sustenance of vital functions, and their absence or paucity will prevent or retard the processes of vegetable nutrition.

Impressed as we are with the necessity and importance of the science of agriculture, we could wish there had been an educational movement in connection with the exhibitions recently held. What we mean to say is that we think it was a great mistake not to have instituted a course of lectures for the purpose of explaining the details of the natural productions, machinery, and manufactures that were exhibited in Alipore and Burdwan. But the mistake may be easily rectified in the future exhibitions, when we trust arrangements may be made to enable the people not only to see the wonders of human ingenuity, but to hear the lectures of competent persons in English and vernacular on the application of arts to the service of humanity.

We believe the time is come for the Government to make an organized effort for teaching the people the science of agriculture. About seventeen years ago, Dr. Mouat submitted to the Government a proposal to establish agricultural classes in connection with the Zillah Schools. It was suggested by a visit which he had paid to an agricultural institution in Cuttack. The proposal was referred to the magisterial and medical officers in the Moffussil; most of whom reported in favour of it but some how or other it fell to the ground.

The question of agricultural education has been again raised by the Director of Public Instruction. In August last he addressed letters to the Agricultural Society, the British Indian, and the Landholder's Associations, in which he requested those bodies to favor him with their opinions on agricultural education with reference to the requirements and capabilities of Bengal. He wanted information on the following points.

'Is there any probability that theoretical instruction in the 'scientific principle of the farmer's art will be of any advantage 'under present circumstances to the people of this country?'

'Is there any existing class, possessed of the requisite 'preliminary education, who would seriously take up agriculture

Digitized by Google

'as a practical science with the view of turning their knowledge 'to account either for the improvment of their own property or 'in the pursuit of farming as a profession.'

We have no hesitation in answering the first question in the affirmative. Referring to the other question, although we lament the absence of a large body of men who can come under the class indicated, yet we think it may and must be created. It is not altogether non-existent, but is represented by several educated and enterprising young zemindars. Dr. Mouat's plan has been since revived by Baboo Hurry Mohun Mookerjee, botanical teacher in the Calcutta Normal School.

In a letter to the Government before us, the Baboo recommends 'the formation of agricultural classes in connection with the zillah aided schools.' But the recommendation is impracticable, inasmuch as none of those schools would consent to aid in bearing the additional expense involved in the establishment of agricultural classes. The curriculum prescribed by the University for the Entrance Examination mainly determines the extent and character of the studies of the pupils of the Aided as well as the Station schools. So long as the study of agriculture may remain uptional, the want of a healthy stimulus to its prosecution will be generally felt. We would therefore recommend that greater attention may be directed to the study of the physical sciences in the colleges; specially to the study of those branches of science which are allied to practical agriculture. Chairs for some of those sciences already exist, and the instructive staff may be strengthened in such proportion as may be desirable. But this after all may prove an inadequate provision for supplying the want complained of. What we should therefore advocate is not solely the institution of Agricultural Chairs in our collegiate institutions, but the establishment of independent Agricultural Schools on the plan of those in Europe and America, to be taught by men versed in all sciences connected with the cultivation of the soil, and to which lands should be attached for the purpose of experimental and practical farming. In these farms foreign seeds can be naturalized, soils can be analysed, and native agriculturists can obtain information in relation to crops and experiments in the best breeds of cattle. The proposed Schools offer in our opinion a peculiar advantage. The teachers will be men exclusively devoted to investigations connected with an improved state of cultivation. We have none of this class among us. It is true we have learned professors of Chemistry and Botany in the Medical College. We have had an O'Shaughnessy, a Griffith, a Falconer, and a Thomson, whose profound researches into the sciences which it was their

Digitized by Google

business to expound have been of great advantage to the concerns of agriculture, but if we could have gentlemen of equal intellectual character and attainments placed in situations whose duties require them to pursue the study of those sciences, with special reference to the cultivation of the soil, they would contribute in a much greater degree to the improvement of our agriculture. It may be urged against us, that the recommendations and theories of scientific men are frequently of no value to the Zemindar or ryot, because they will not often stand the test of experiment, and so practical agriculture is above the speculations of learned theorists. But our proposal is to establish independent Schools in which the theoretical and the practical elements may be combined. Every new deduction of scientific research will be subjected to actual experiment, and tested by successful results before it is patented for public use and benefit.

Money will of course be wanted for the establishment of the institutions proposed but it will be money well laid out. We would advise also the compilation, in English and in the Vernacular, of a manual of Agriculture describing the soils, and the means of improving them, the crops adapted to the soils, and the advantages of drainage and irrigation. Such a text-book may be advantageously introduced into the Normal Schools, which are now mantained both in the metropolis and the mofussil for the training of Pandits and Gorromashyes. We anticipate much good from thus working at both ends, namely with the Colleges and Schools at one end, and the Vernacular Institutions at the other. Both the higher and middle classes will thus be interested in the study of agriculture.

We can also confidently predict most beneficial results from the periodical renewal of the Agricultural Exhibitions. Young generations as they grow up will thus have opportunities similar to those of their forefathers for the acquisition of knowledge in the most delightful school, holding, so to speak, a concentration of the materials and sources of prosperity otherwise scattered over the whole face of this vast country.

Digitized by Google

Art. VI.—*The Great Rent Case.*

Judgments in the Rent Case, delivered by the High-Court, June 19-1865. Calcutta, O. T. Cutter, Military Orphan Press.

IT was observed, not many months ago, by a leading English statesman, in referring to the results of the French revolution that, 'by it the whole jurisprudence of Europe had been sub-'verted, and the very tenure of land,—which of all human 'institutions most affects the character of man, has been altered.' It is impossible to avoid being struck with the applicability of this remark to the events, relating to the tenure of land, which have been progressing in this country during the last six years. Recent legislation, and the interpretation put upon it by the courts of law have, indeed, affected very greatly that tenure, and although it is alleged that the great changes which have occurred have been effected under a reservation contained in the arrangements resulting from the permanent settlement of the revenue by Lord Cornwallis, it has never been contended that, at the time that that reservation was made, they were even remotely contemplated by its author. Whatever reservation may be supposed to warrant it, no doubt the spirit of Act 10 of 1859, as construed by the High Court, is absolutely and entirely new. It was undoubtedly the policy, plainly expressed, of Lord Cornwallis to create a class of landholders to whom the Government might look for responsibility, the people for protection. It is clear that the legislation of 1859, as interpreted by the judges of the High Court in the case of Thakooranee Dossee, known as the great Rent Case, has entirely changed the relative positions of the ryot and the zemindar, taking away from the latter to give to the former a part proprietorship in the land itself; so that in India as well as in Europe we see that the tenure of land has been altered, that the institution, which of all human institutions most affects the character of man, has been, in all its features, most essentially changed.

There is, however, another novelty in the decision of the above case, and it is to that we wish on the present occasion to call attention, as it seems to us that the High Court, in this instance, has taken upon itself more or less the task of legislation, as distinguished from the mere decision of the case before it. This was pointed out at the time by Sir Barnes Peacock and by others of the learned judges. And, in referring to it now, it is our intention

Digitized by Google

to give a short summary of the judgment of Mr. Justice Trevor and of those judges who agreed with him in endeavouring to lay down a general rule for all cases, contrasting it with the judgment of the Chief Justice, who, on the other hand, would decide the case upon the consideration of the particular facts. In order to give some further illustration to the matter, we shall also compare the decision of this great rent case with some recent decisions of the Court of Queen's Bench in England, upon the very analogous question of the amount that properties of various descriptions ought be rated at for the purpose of the poor-rate.

We would wish, before entering on the question, to make a passing allusion to our reason for noticing this case. In England, the fact that a judgment had been delivered which altered the existing law, which affected, for good or for evil, the rights of landowners and tenants,—which was in fact a new legislative act,—would have created a sensation which would have been the precursor to prompt and vigorous action. Parliament would have been appealed to, and Parliament would have acted in a manner, which would have plainly signified the determination of the Legislature to confine the action of the Bench to the performance of their legitimate functions, and of none other. It would have been intimated to the Judges that their duty was to see the laws put into execution not to make them. But in this country, the land is not represented in the legislative councils. The landowners, though they contribute more than any other class to the revenues of the country, have no voice in the management of its affairs. The legislators themselves, with an occasional rare exception, have no knowledge of the art of governing as practised in Europe. With the best intentions in the world, they are apt to make a mistake when they move off the beaten track of local politics. Under these circumstances, we think that an English constitutional view of a great question, on a point which most affects the character of the people and the stability of the institutions of the country, will not be unacceptable. With these remarks, we return to the narrative of the case.

On the 19th June, the fifteen judges of the High Court last gave judgment in this case. Several days had previously been occupied in the argument which took place on the 2nd, 3rd, 4th, 7th, 8th, and 9th of March last. Owing to the great importance attached to the case, to the fact of its being an appeal from the decision of the Chief Justice—Sir Barnes Peacock and three other learned judges in the case of Hills *versus* Ishur Ghose, which decision had been adhered to by Justices Trevor and Campbell sitting as a Court of equal jurisdiction in the

Digitized by Google

later case of Hurro Mohun Mookerjee *versus* Thacker Doss Mundle,—and from other causes, there was a considerable interval between the argument of the case and its decision.

That this interval was made use of by the learned judges to the best advantage will appear to any one who has perused the judgments themselves, which have been published in full, together with those in the former case of Ishur Ghose, and the minutes of Justices Campbell and Elphinstone Jackson, under authority we presume, by Mr. Cutter of the Military Orphan Press, and also in a pamphlet form as supplements to the daily newspapers of the date of the 1st of July, and which from their length occupied the full bench an entire day in their delivery.

To every suggestion which long personal experience, the arguments of counsel, and the impartial endeavour to apply to the case the principles of law and of political economy, could suggest, its due weight was given; and we find in the result, that fourteen of the learned judges came to an unanimous decision, that the view taken by the courts in the case of Hills *versus* Ishur Ghose, was an incorrect one, and only one judge, but that one the Chief Justice, adhered, and firmly adhered, to his former decision.

The case arose out of a claim made by a Zemindar to enhance the rent of his ryot under the provisions of the new law relating to rent Act 10 of 1859. The Sections of the Act that are most material to its consideration are the 3rd, 4th, 5th, 6th, and 17th.

By Section 3. 'Ryots who in the provinces of Bengal, Behar, 'Orissa and Benares hold lands at fixed rates of rent which 'have not been changed from the time of the permanent settle-'ment, are entitled to receive pottahs at these rates.

By Section 4. 'Whenever in any suit under this Act it shall 'be proved that the rent at which land is held by a ryot in the 'said provinces, has not been changed for a period of twenty 'years before the commencement of the suit; it shall be pre-'sumed that the land has been held at that rent from the 'time of the permanent settlement, unless the contrary be shown, 'or unless it be proved, that such rent was fixed at some later 'period.

By Section 5. 'Ryots having rights of occupancy, but not 'holding at fixed rates as described in the two preceeding Sec-'tions, are entitled to receive pottahs at fair and equitable rates. 'In case of dispute the rate previously paid by the ryot shall 'be deemed to be fair and equitable, unless the contrary be 'shown in a suit by either party under the provisions of this 'Act.

By Section 6. 'Every ryot who has cultivated or held land

Digitized by Google

'for a period of twelve years has a right of occupancy in the 'land so cultivated or held by him, whether it be held under 'pottah or not, so long as he pays the rent payable on account 'of the same; but this rule does not apply to *khomar neejjote* 'or seer land belonging to the proprietor of the estate or 'tenure, and let by him on lease for a term or year by year, nor '(as respects the actual cultivator) to lands sublet for a term 'or year by year by a ryot having a right of occupancy. 'The holding of the father or other person from whom the 'ryot inherits, shall be deemed to be the holding of the ryot 'within the meaning of this Section.

By Section 17. 'No ryot having a right of occupancy shall 'be liable to an enhancement of the rent previously paid by 'him, except on some one of the following grounds, namely :—

'That the rate of rent paid by such ryot is below the pre-'vailing rate payable by the same class of ryots for land of 'a similar description and with similar advantages in the 'places adjacent.

'That the value of the produce or the productive powers 'of the land have been increased otherwise than by the agency 'or at the expense of the ryot.

'That the quantity of land held by the ryot has been proved 'by measurement to be greater than the quantity for which 'rent has been previously paid by him.

The case was as follows: The plaintiff, Kashee Pershad Mookerjee, a Zemindar, brought a suit for a kubooleut for three years at the rate of four Rupees per beegah. The land was a portion of the auction purchased talook of the plaintiff, and the defendant, Thakooranee Dossee, a ryot, had paid rents for it at a variable rate. The grounds of enhancement under Section 17 of Act X. of 1859, were that the productive powers of the land and its value had, without any exertion or agency of the plaintiff, increased, and that lands adjacent to the subject of the suit, were rented at the same rate of four Rupees per beegah.

The case was tried in the first instance by Mr. Clementson, the Deputy Collector of Diamond Harbour, and he decided in favor of the plaintiff, giving him four Rupees per beegah on the following calculation :—

	Rs.	As.	P.
Present value of produce	15	0	0
Present cost of cultivation	3	0	0
Present net value of produce... ...	12	0	0

Digitized by Google

Former value of produce ...	...	4	8	0
Former cost of cultivation ...	...	1	4	0
Former net value of produce...	...	3	4	0

shewing a difference in the net value of produce of eight Rupees twelve annas. Of this sum he considered one half to be a fair and equitable addition to be made to the landlord's rent, but as he could not give him more than he asked for, he gave him four Rupees a beegah. From this decision the ryot appealed to the Judge of the 24-Pergunnahs, Mr. Beaufort, who dismissed the appeal; and from Mr. Beaufort's decision the ryot brought a special appeal to the High Court, which came on for hearing before Justices Campbell and Elphinstone Jackson. There were several grounds of appeal, but the main objection taken by the ryot, was that the Judges below, in laying down the rule of enhancement had entered into the consideration of the increased cost of cultivation, whereas the ryot's contention was, that that element should be left out of the calculation, and that the proportion of the increased rent to the former rent, should not exceed the proportion of the present gross value of produce to the former gross value of produce.

It happened that there were conflicting decisions of the High Court upon this question, in the cases of Hills *versus* Ishur Ghose decided on the 2nd of September 1863, of Hurro Mohun Mookerjee *versus* Thakoor Doss Mundle decided on the 14th of September 1864, and of Kashee Pershad Mookerjee *versus* Shibnarain Ghose decided on the 24th of November 1864. The first of these cases was tried by the Chief Justice and Justice Sumbhoonauth Pundit, and was an appeal from a decision of Mr. Elphinstone Jackson in January 1863, when he was additional Judge of Nuddea. A similar case had been heard by the Chief Justice and Justices Bayley and Loch in 1862, in an appeal between the same parties from another decision of Mr. Elphinstone Jackson, and the judgments in both cases were given together. The ground on which the Zemindar claimed to enhance his rent, was the same as one of the grounds in the present case, namely, that the value of the produce had increased otherwise than by the agency or at the expense of the ryot. And the Chief Justice, in delivering the judgment of himself and the other Judges named above, went minutely *into the particular facts of the case*, and reviewed each item of profit and expenditure; and in calculating the rate, which should be fair and equitable in assessing the new rent, took the cost of cultivation into consideration, and recognized the principle of competition as governing the case, and furnishing a guide to 'what

Digitized by Google

'was fair and equitable'. He had said that the Judge should 'be guided in fixing the rent by all the circumstances of the 'case; in the absence of proof to the contrary he might take the 'old rent as a fair and equitable rent with reference to the 'former value of the produce, he must take into consideration 'the circumstances under which the value of the produce had 'increased, and whether those circumstances were likely to con- 'tinue, and whether the value of the produce was likely to keep 'up to the present average in the ensuing year. He must con- 'sider whether the costs of production, including fair and reaso- 'able wages for labor and the ordinary rate of profits derived from 'agriculture in the neighbourhood, have increased, and he must 'make a fair allowance on that account'. The Chief Justice and the other learned Judges also considered, that the 5th Section of the Act, which gave a ryot a right of occupancy and to hold on at fair and equitable rates,' transferred to him no further 'right than would be created by a covenant in a lease to renew 'it at a fair and equitable rent. That to be fair and equitable 'must be to be so as regards both parties, not fair and equitable 'as regards the ryot, and unfair and inequitable as regards the 'proprietors of the land, and it would not be fair and equitable 'to a landowner to fix the rent at a lower rate than he could 'obtain from a new tenant, if he had not been deprived by the 'Act of the legislature of his power of determining the tenancy 'and reletting the land to a new tenant.'

It will be seen that in this case, there was no attempt to lay down a general rule which should apply to all cases, that is to say, in other words, to substitute for the words fair and equitable in the Act of the legislature some other decided upon by the Courts of Law. No such attempt was made, and though the rule of competition among tenants seeking to hire lands, was held to be applicable to the case, that was but one of the considerations which were to be entertained by the Judge in fixing a rent, and he was directed to look at all *the circumstances of the case before him*, and determine from a consideration of them all what in *the particular instance* was a proper assessment.

Another case was the case of Shibnarain Ghose appellant *versus* Kashee Pershad Mookerjee and others. This was tried before Justices Trevor and Campbell on the 26th of November last, and they, on the contrary, decided that the proper method of adjustment was according to the rule of proportion, that is, that the increased rent must bear to the old rent the same proportion as the present value of the gross produce of the soil bears to its former value. By this rule it will be observed that the costs

Digitized by Google

of cultivation were left out of consideration altogether, and their omission consequently left nothing for the Judge to do in fixing the rent, but to determine the old rent, the old value of the produce, (if he had the means of doing so) and the present value of the produce, and then by a simple rule of three the proper new rent was to be determined without any regard to the costs of cultivation, the price of food, or any collateral circumstance whatever, so that the rent fixed would be as fair and as equitable, according to this case, if the cost of cultivation had doubled, as if it had on the contrary been reduced one-half.

The same Judges, Mr. Justice Trevor and Mr. Justice Campbell, had however, shortly before this, on the 14th of September last laid down a somewhat different rule in the case of Hurr Mohun Mookerjee *versus* Thakoor Doss Mundul. There they had said: 'As regards the rate of enhancement, we think that the Court 'was not bound to proceed by the tedious and, in practice, im-'possible process of calculating the exact value of the crops 'produced on the land, and each and every individual item of 'the expense of cultivation for any particular year, and thence 'attempting to deduce the rent, when, on the reliable evidence 'before it, it had the means of estimating the general average 'degree of enhanced value which the land had acquired, and 'the rent which it could fairly bear in consequence, as compared 'with the previous rent. We think that the Court found this 'enhanced value as a fact from evidence showing the degree 'to which the average productive value, and the cost of produc-'tion, had severally increased, and the degree or proportion of 'net enhanced value in the shape of rent thence resulting.'

This decision, it will be observed, was based upon a consideration of the costs of cultivation, and although the learned judges pointed out that it was not necessary in their opinion for the officer fixing the rent to go into minute evidence as to the items of profit and expenditure, it was still incumbent upon him to take them into his consideration to some extent in arriving at his conclusion, *that is to say, he was on no account to lose sight of the particular facts of the case.*

There being then these contradictory decisions, Justices Campbell and Jackson thought that the best course to take before deciding the present rent case, would be to refer it to the whole of the Judges, that they might give their opinion on the construction of the words 'fair and equitable,' as used in the particular Section of the Act. It does not seem to have been their intention to get the opinion of the full Bench on the fairness and equity of any rent that might be fixed in the particular case before them; in fact, it does not appear from the

Digitized by Google

report of the case that they were supplied with materials to ask such a question. No very accurate statement of facts was there, and moreover, if the construction put upon the words in the case of Shibnarain Ghose *versus* Kashee Pershad Mookerjee, was to be upheld, facts were unnecessary. No collateral matters connected with cost of cultivation could alter the amount of the former rent, the former price of the gross produce, or the present price of gross produce. These are all to be ascertained without reference to the circumstances under which the crop is produced, and consequently in this one view of the case, facts were unnecessary. The two Judges accordingly wrote minutes on the case, referring it for the opinion of the full Bench, and the following are the questions which they submitted to the Court.

1st.—When there has been any increase in the value of the 'produce, arising simply from a rise in prices and not from the 'agency, either of the Zemindar or the ryots, and the Zemindar 'is entitled to a new kubooleut from an occupancy ryot for an 'enhanced rent at fair and equitable rates, is the fair and equit-'able rate to be awarded, that which might be obtained by 'commercial competition in the market, or is it a rate to be 'determined by the custom of the neighbourhood in regard 'to the same class of ryots?

2nd.—'If the customary rate of the neighbourhood has not 'been adjusted with reference to the increased value of the 'produce, then on what principle is it to be adjusted.

For the purpose of collating the opinions of the majority of the Judges, and the arguments upon which they founded their decision, we may refer to the judgment of Mr. Justice Trevor which he delivered first. Not that the case was not most carefully and elaborately gone into by several other learned members of the Bench, nor that there was not some slight divergence of opinion, even among the majority, upon some points of the argument. But we must refer those of our readers who would wish for more accurate information to the full report itself. There are several judgments too long to be inserted in this place, and Mr. Justice Trevor's is moreover that of himself and of Justices Loch, Bailey (one of the Judges in the case of Ishur Ghose), Elphinstone Jackson and Glover, who did not themselves deliver judgments, but left it to Mr. Justice Trevor to give expression to their matured opinions.

After disposing of some minor objections in points of form, Mr. Justice Trevor proceeded to review the relative conditions of Zemindars and their ryots from the earliest times, down to Lord Cornwallis's permanent settlement of 1793. Holding that before that date, the Zemindar was more in the position of a

Digitized by Google

collector of the Government revenue than an owner of the soil, that he belonged to a class that never had any existence till the Mahomedan conquest, and adopting the view of Mr. Harington, vol. 3. page 400, that a Zemindar appears to be under the 'Mogul constitution and practice a landholder of a peculiar 'description, not definable by any term of our language, a 'receiver of the territorial revenue of the state from the ryots 'and other under-tenants of the land, allowed to succeed to his 'Zemindaree by inheritance yet generally required to take out 'a renewal of his title from the sovereign or his representative, 'on the payment of a fine of investiture to the emperor and a '*nuzurana* or present to his provincial delegate the Nazim; 'permitted to transfer his Zemindaree by sale or gift, yet com-'monly expected to obtain previous special permission; prive-'leged to be generally the annual contractor for the public 'revenue received from his Zemindaree, yet set aside with a 'limited provision in land or money, when it was the pleasure 'of the Government to collect the rents by separate agency, or 'to assign them temporarily or permanently by the grant of a 'Jagheer or Altumga; authorized in Bengal since the early 'part of the 18th century to apportion to the Pergunnahs, 'villages, and lesser divisions of land, within his Zemindaree, the 'abwab or cesses imposed by the Soobadar, usually in some 'proportion to the standard assessment of the Zemindaree 'established by Tornn Mull and others, yet subject to the 'discretionary interference of public authority, either to equalize 'the amount assessed on particular divisions, or to abolish 'what appeared oppressive to the ryot; entitled to any contin-'gent emoluments proceeding from his contract during the 'period of his agreement, yet bound by the terms of his 'tenure to deliver in a faithful account of his receipts.'

He held on the other hand that the class of permanent ryots, was to be found on the land long anterior to the time when the Zemindar class appeared, and from the nature of the assessments established by Tornn Mull and those who came after him, down to the time of the permanent settlement, that these ryots had some sort of property in the soil.

The learned Judge went on to say, that although the permanent settlement recognized the zemindar as the actual proprietor of the soil, it at the same time recognized the rights and interests of the ryots, that at the time of the settlement, there were two sorts of khoodkast or permanent ryots, those who had and those who had not occupied for twelve years previous to that settlement. That twelve years had by law or custom always been considered to confer a right by prescription: so

Digitized by Google

that a tenant, who held at a fixed rent for twelve years, could not have his rent raised; but was entitled to hold by prescriptive right at his old rate of rent, while the simple khoodkast ryot who had not gained that right, and the khoodkast ryot whose tenancy commenced after the settlement, were liable to have their rent enhanced, but at the Pergunnah rates. That the subsequent laws allowing the Zemindar to grant leases at first for ten years only, and afterwards for any term and at any rate, always kept in view the rights of those ryots to hold at the Pergunnah rates, which rates had their origin in the original imposition or Ussul, together with the additional cesses which were afterwards imposed, all of which were commuted into one general sum, which from time to time adjusted itself according to circumstances. That the sale laws of 1841 and 1845, while they allowed the Zemindar to enhance the rent of his ordinary khoodkast ryots at discretion, still left to the khoodkast with a right of occupancy his ancient rights. That Act X. of 1859 was passed for the protection of the ryot under a reservation in the Regulation of 1793, that it took away certain of the rights of the Zemindars and conferred upon all ryots with rights of occupancy under section 6, the right to receive pottahs at fair and equitable rates, that this right was conferred upon all ryots, who might have occupied for twelve years either at the passing of the Act, or partly before, and partly after, or wholly subsequent to, that date. He considered that the legislature did not merely intend, by the passing of that Act of 1859, to confer on those tenants who had occupied or to whom it gave a right of occupancy, a mere preferential right of occupying the land at the same rate that would be paid by a stranger, and subject to a rack rent, and that the principle of competition never extended to this country. That the terms, 'fair and equitable,' as used in the Act, should have relation to the custom of the country representing a certain proportion of the gross produce of the soil. Taking then the case of a rise in the value of the produce independant of the exertions of either Zemindar or ryot, and considering the old rent as to represent a certain proportion of the gross produce, he considered that the cost of production was a matter of detail which the Courts were not called upon to consider, and that the proper mode of ascertaining the new rent was to take the following proportion. 'The 'value of the gross produce before the alleged alteration is to 'the rent which the land then bore, as the altered value of 'the produce is to the rent, which should be assessed now, and he replied to the questions submitted to the Court as follows:—'I would reply that the terms 'fair and equitable,'

Digitized by Google

'when applied to tenants with a right of occupancy, are to be construed as equivalent to the varying expressions, Pergunnah rates, 'rates paid for similar lands in the adjacent places, and rates fixed 'by the law and usage of the country. All which expressions indicate that portion of the gross produce, calculated in money, to 'which the zemindar is entitled under the custom of the country; 'that as the Legislature directs that in cases of dispute, the 'existing rent shall be considered fair and equitable until the 'contrary be shown, that rent is to be presumed in all cases, in 'which the presumption is not by the nature and express term 'of the contract rebutted, to be the customary rate included in 'the terms, Pergunnah rates, rates payable for similar lands in 'the places adjacent, and rates fixed by the law of the country; 'that in all cases in which the above presumption arises, and in 'which an adjustment of rent is requisite in consequence of a 'rise in the value of the produce, caused simply by a rise of 'price and by causes independant both of the zemindar and the 'ryot, the method of proportion should be adopted in such 'adjustment. In other words the old rent should bear to the 'existing (i. e. the new rent), the same proportion as the former 'value of the produce of the soil, calculated on an average of 'three or five years next before the date of the alleged rise in 'value, bears to its present value. That in all cases in which the 'above presumption is rebutted by the nature and the express 'terms of the old written contract the re-adjustment should be 'formed on exactly the same principle, as that on which the 'original written contract, which is sought to be superseded, was 'based; and that in cases in which it appears from the express 'term of the previous contract, not still in force, that the rents, 'then made payable by the tenant, were below the ordinary rate 'paid for similar land in the places adjacent, in consequence of a 'covenant entered into by the ryot to cultivate indigo or other 'crops, the old rent must be corrected, so as to represent the 'ordinary rate current at the period of the contract, before it 'can be admitted to form a term in the calculation to be made 'according to the method of proportion above laid down.'

The Chief Justice, after hearing the several judgments of his colleagues, still adhered, as before stated, to the opinion he had given in the case of Ishur Ghose. He said he had seen no reason on consideration to alter the view he had taken in that case, and referred to the following propositions he had there shown to be true, and which were deduced from a consideration of the regulations and acts themselves, and of the cases decided upon them.

'Firstly. That the zemindars were, in 1793, declared to be the 'proprietors of the soil, and encouraged to exert themselves in

Digitized by Google

'the cultivation and improvement of their estates, under the 'certainty, that they would enjoy exclusively the fruits of their 'own good management and industry; and that no demand would 'ever be made upon them for augmentation of the public as- 'sessment, in consequence of the improvement of their respec- 'tive estates. Secondly.—That from 1793 to 1812, they were 'prevented from granting pottahs or leases to ryots for terms 'exceeding ten years; and consequently could not during that 'period have created ryots with hereditary right of property in 'the soil. Thirdly.—That after Regulation V. of 1812, they were 'entitled to grant leases to all new ryots, who were not entitled 'to demand a renewal of their leases, such as khoodkast ryots, 'at any rent and for any term that might be specifically agreed 'between them; and, that such leases, whether in perpetuity or 'for any term, were binding on the zemindars, and their heirs, 'or assigns; and that the Courts were to give effect to the 'definite clauses of the engagements, and to enforce payment 'of the sums specifically agreed upon. Fourthly.—That, if the 'ryot's original holding commenced after the date of the Per- 'manent Settlement (and if it commenced before it was for him 'to prove it either by positive or presumptive evidence), he was 'entitled to have effect given to any definite engagement 'between him and the landowner, either as to the duration of 'the term, if any was specifically granted to him, or as to the 'amount of rent to be paid, or the rates at which it was to be 'assessed. But that, if he failed to prove that any such engage- 'ment was entered into, or that the term for which he was to 'hold was ever fixed or defined; or that any stipulation was 'made as to the rate of rent at which he was to hold, he must be 'considered to have entered and held as a tenant for one year 'only, and to hold on with the consent of the landlord from 'year to year, or according to the language more generally used 'in this country, as a tenant at will; and, that, but for Act X. 'of 1859, he would have been liable to have his tenancy deter- 'mined by the landowner, and to be turned out of possession 'at the end of any agricultural year.'

On reference to Thomason's directions for revenue officers in the North Western Provinces, the Chief Justice observed, that it appeared that there were proprietory and non-proprietory cultivators; and of these latter, some were entitled to hold at fixed rates, and some were not; but were mere tenants at will. But these non-proprietory cultivators, holding at fixed rates, had no property in the soil, although they were considered to have rights of occupancy. So that it did not seem that before the Permanent Settlement every resident ryot, whether holding for a term or as

Digitized by Google

tenant at will or from year to year, necessarily became a khoodkast ryot, who, according to the definition given by Wilson in his glossary, was a 'cultivator of his own hereditary land,' the term having reference to some proprietory right, rather than to the mere fact of residence.

However, the right of proprietorship of the khoodkast ryot might have originated, whether by originally clearing the land or reclaiming the waste or otherwise, it was clear that no one could claim either a proprietory right or a right of occupancy, as against the zemindar, after Regulation II. of 1793, except by contract, by adverse possession, or by prescription going back to the date of the Permanent Settlement. Although Act X. of 1859 gave a right of occupancy after twelve years, no prescriptive right to occupy was acquired by twelve years occupancy of a ryot, who was let in by the zemindar either for a term, from year to year, or at will prior to the passing of that act. Nor was any such right acquired by the adverse possession of such a ryot. That proposition was laid down in the case of Degumber Mitter *v.* Ramsoonder Mitter by a bench of judges, of whom Mr. Justice Trevor was one. It was strictly in conformity with the rules of the Civil Law that, "in order to prescribe, it was necessary to possess, and to possess as master," and a tenant, who holds with the consent of his landlord at a certain rent, cannot be said to hold at that rent adversely to his landlord; so that according to that case, a Zemindar would not be prevented, though his ryot had held twenty years, from raising his rent to the full actual value of the land, before the passing of Act X. of 1859. That Act created a right of occupancy after twelve years, but, if it was thought to do more than to confer upon the ryot a preferential right, to have a lease at the same rates that could be reasonably expected from new ryots, it was supposed to confer rights which in its terms it does not give, and in violation of the express engagement entered into by the Government with the zemindars by the Permanent Settlement. Such a stipulation might have been introduced into the Act by express term, but it was not. *What was fair and equitable was left to the Courts to determine in each case*? Act X. of 1859 preserved the rights of those ryots, who had a valid title to hold at fixed rates, and in the case of those whose rents were liable to enhancement, it limited the grounds of the enhancement by Section 17. He did not consider that it was shown that Pergunnah or customary rates had any uniform existence.

It was said, that the rule of proportion was to be adopted in case there was no customary rate, or in case the customary rate had not adjusted itself. But to adopt the rule of proportion in

Digitized by Google

such a case, would be to fix a new custom, and, as that new custom, a rule that was not warranted by precedent or the justice of the case. His Lordship went on to show that the rule laid down by him and by the other judges in Ishur Ghose's case, where the cost of production was taken into consideration, would always give the ryot the same net profit as he had before, which, unless he had a proprietory right conferred upon him by Act X. of 1859, was all that he was entitled to have. He had a preferential right to hold on. But he might go if he pleased, though his landlord could not turn him out; and he had the additional security that it would probably be his landlord's interest to keep him, by allowing him some addition to his former net profit, and it was not to be said, that because the net profits had doubled, therefore the ryot was to have a double share of them. Taking then the proposed rule of proportion, which was to apply only to gross profits, His Lordship considered the case of the gross produce being trebled, and the cost of cultivation doubled, being nearly the ratios in the case proposed to the court, and gave the following tabular statement to show the effect of the application of the rule.

BEFORE INCREASE.

Former gross value of produce	Rs.	300
Expenses of cultivation	„	100
Former net value of produce	„	200
Rent	„	100
Net profit...	„	100

AFTER INCREASE.

Present gross value (300 trebled)	„	900
Expenses (100 doubled)	„	200
Present net value of produce	„	700
Rent (100 trebled)	„	300
Ryot's clear profit	„	400

Giving the ryot 100 Rs. more than his landlord: and, supposing the gross value to be again trebled, and the cost of cultivation again doubled, the ryot would have 1,400 Rs., while his Landlord would have but 900 Rs., and supposing the ryot to underlet, his under tenant would not, like him, gain any right

Digitized by Google

of occupancy, as that is provided against by Act X., so that he would be able to exact from him a rack rent, and might make himself thereby, instead of an agricultural labourer, a co-propietor in the land, with an interest in it equal to his zemindar; and this from causes independant of his own exertions. Denying therefore that any rule of proportion was applicable, his Lordship considered that if any such rule was applied, it would be more fair and equitable to apply the rule on the basis of the net value of the produce than of the gross.

There was another consideration. The Permanent Settlement fixed a proportion, formerly two-thirds, but now, as in the North Western Provinces, one-half, of the net produce, as the Government assessment; and therefore according to the above calculation, if the settlement had not been made permanent, the Government would have taken 350 Rs. from the zemindar, according to the above calculation, while he would have received only 300 Rs. from his ryot, and consequently he would have been 50 Rs. out of pocket, while the ryot would have made a profit of 400 Rs. So that if the courts at Agra should adopt this rule, that state of things would actually happen in the North Western Provinces, where there was no Permanent Settlement, although the Act of 1859 was in full force there.

The Government could not do such an injustice to the landowners in the North West Provinces, and the rule of proportion is not therefore applicable there, but the same law is to apply to the North West Provinces and to lower Bengal, therefore it is inapplicable here. It is moreover not applicable to the other grounds of enhancement contained in the 17th Section. Nor is such a raising of the status of the ryot necessary for his welfare, or to protect him from exactions on the part of the landowner: to do so would be to sacrifice the rights of the latter, which would be neither fair nor equitable.

In answer therefore to the first question put to the learned judges, his lordship said be still adhered to his decision in the case of Ishur Ghose.

With regard to the second question, he held that the rule of proportion could not depend on custom, and that if there was no evidence as to any prevailing ratio or customary rate, the rule in Ishur Ghose's case ought for the reason given above in answer to the first question to prevail, and each case should be decided on its own merits.

These were substantially the reasons given in the two conflicting judgment of the fourteen judges and the Chief Justice, though it is to be observed that more than one of the learned judges in the majority stated that they concurred in the answers

Digitized by Google

to be given to the court below, not so much because they considered the principle of the decision to be infallible and applicable to every case, but because they considered it the best that had been offered for their adoption.

It must be confessed, that such admission is far from being a satisfactory element in the decision of a court of law in any particular case it has to decide upon. It is a poor consolation to a suitor who has a right to bring his case before the courts of law, to have that case adjudicated upon, one way or the other, to be told that the court attempts to find some theoretical rule which shall apply to all cases; but, being unable to hit upon one that exactly fulfils that object, is obliged to content itself with an approximate result, which, in its application, may do him individually great injustice.

It may be that the law is defective, but in the legislature alone is a remedy for such a defect to be sought. The rule is laid down by the legislature for the guidance of the courts of law, and it is for the court of law to apply that rule to the *particular facts* before it. This indeed was pointed out in their judgments by the Chief Justice, and also by Justices Morgan and Phear. 'In that case (Ishur Ghose's)' says the Chief Justice, p. 150 of the printed judgments—'it was held by Mr. Justice Bayley, Mr. 'Justice Kemp, and myself, that the enhanced rent could not 'exceed the old rent, with such portion of the increase added to 'it, as would render it fair and equitable under the altered state of 'circumstances; and it was expressly stated that in determining 'whether the whole of the increase was to be added, the Judge 'must be guided by all the circumstances of the case." And again, at page 156, in referring to the judgment of Mr. Justice Torrens, in the case of Degumber Mitter *versus* Ramsoonder Mitter, decided in 1856, where he argued for a prescriptive right of a ryot to hold after twelve years occupancy at a fixed rent as against the zemindar, who seeks to enhance his rent, and says that it would be unfair, after the ryot had been expending his capital for thirty years on the faith of holding on at his former rent, that the zemindar should then come in and claim to enhance it. The Chief Justice says, 'I should concur with Mr. Torrens, if it 'had been proved, as he alleged, that the ryot had asserted his 'right to hold at fixed rates for thirty years, and the landowner 'had acquiesced in the claim; but that statement was used rather 'as an argument, than as referring to the *facts which had been 'proved in the particular case before the Court.*'

Mr. Justice Morgan in some remarks he made, in putting in his judgment, which he did not read in court, made a similar observation, considering that it would be imposing a great burthen

Digitized by Google

on the courts to call on them to say, what should be the guide in construing the words 'fair and equitable', which the legislature had left in uncertainty, and Mr. Justice Phear said more plainly, (see p. 100 of the printed judgments): 'The way in which this 'case has come before us and has been treated by both sides in 'the discussion obliges us to go beyond their limits; and to 'attempt to enunciate the meaning of the words in question 'in the form of a general rule,—we are thus prevented from 'confining ourselves to our legitimate function, namely, that of 'saying what is the effect of those words merely on the particu-'lar issue placed before us. I need hardly remark that the 'constitution and procedure of a Court of Justice is very ill 'adapted to carry even that which is often called judicial legis-'lation beyond the facts of the case material to the issue 'which is before the Court for decision. *The Superior Courts of 'England have uniformly refused to countenance any attempt made 'to induce them to transgress this limit.*'

The importance of these remarks of the learned judges cannot be overestimated. They go to the very root of the distinction, which has always been held to exist between the duties of making laws and of putting them into practice, between the function of legislative and executive bodies. It is true that the decisions of courts of law becoming precedents may in one aspect seem to be *quasi* acts of legislation, but in another and a more proper view, they are but the declaration of the courts sanctioned by their authority of what *is* the state of the law, not what it *shall* be. They proceed upon an investigation of the case itself; applying the law as *it is*, whether it be settled by the formal Act of the legislature, or by the authority of former decisions.

If then, in cases like this present rent case, the court below, instead of asking the general question, were in each instance to present accurately the facts of the particular case; and then ask the Court to determine what is a fair and equitable rate of rent in the particular instance, in process of time a series of decisions would be arrived at, each adapted to the circumstances of its own case, and together forming a guide for others. It is by this process that the Court of Queen's Bench in England has built up a system of Parochial Assessment, founded on the words of the 1st Section of the Parochial Assessment Act. 6 & 7, Wm. 4, c. 96, which are as follows:—

'No rate for the relief of the poor in England and Wales, 'shall be allowed by any justices, or be of any force, which shall 'not be made upon an estimate of the net annual value of the 'several hereditaments rated thereto; that is to say, of the

Digitized by Google

'rent at which the same might reasonably be expected to let 'from year to year, free of all usual tenant's rates and taxes, and 'tithe commutation, rent charge, if any, and deducting there- 'from the probable average cost of the repairs, insurance, and 'other expenses, if any, necessary to maintain them in a state 'to command such rent,' &c.

It is now nearly thirty years since that Act of Parliament was passed, and during that time its provisions have been of course brought before the court of Queen's Bench, the tribunal appointed to determine poor rate cases in the last resort, over and over again. It is confessed that the words of the Act are difficult of application, more so indeed than those of the Indian rent Act. But all legislation on such subjects must naturally be imperfect in expression, and it is thought in England, that the necessary imperfections of legislation are best compensated for by an endeavour on the part of the tribunal to apply the rule laid down to the *particular instance.*

The system by which this is carried out in England is briefly as follows:—It is the duty of the parish officers to levy the poor rate according to the assessments of the different properties in their parish, and where it is necessary, to make fresh assessments. On each occasion the rate has to be sanctioned by two Justices of the Peace, generally two country gentlemen engaged in agriculture trade, manufacture, &c., but rarely professional lawyers or accountants. If the party assessed is dissatisfied with the rate, he appeals to the court of Quarter-Sessions, a tribunal which assembles four times a year in nearly all counties, and this again consists of country gentlemen. Most cases are settled either in the first instance, or by the Justices at Quarter-Sessions. But in cases of difficulty and doubt, the latter are empowered under another Act of Parliament to state the case for the opinion of the court of Queen's Bench. This is done with the greatest accuracy, the case is prepared generally by the counsel or agent of each side and signed by the chairman of the Quarter Sessions, and is then sent up to the Judges in London who are to determine the question, and is the groundwork on which they form their decision.

To give an instance of a case of this description. What can be more difficult to determine, than the rent a tenant from year to year would give for a mile of gas pipe going through a parish, and consequently liable to the poor rates there, while the gas works perhaps are in another parish and rateable there, and nearly all the gas perhaps sold in a third? Questions of this nature came on to be determined in the case of *The Queen* v. *The Sheffield United Gas Company,* decided in the year 1863. There

Digitized by Google

the property lay in five distinct parishes, and was liable to poor rates and a separate assessment in each. It consisted of lands and buildings, with retorts, furnaces, pipes, &c., used for making the gas; and of land occupied by mains and pipes. The property in the parish that appealed against the rate consisted of the lands and buildings and apparatus for making the gas, and of part of the mains and pipes which passed through the parish in question to the other parishes. How was such property to be rated? What man would become tenant from year to year of a gas work and part of the pipes in one parish, when no profits, or comparatively none, arise from the property he is thus supposed to occupy? The relation of landlord and tenant cannot be supposed in such a state of circumstances as this, and the difficulty was admitted by the late Mr. Justice Wightman in the case of the Queen *v.* the West Middlesex Waterworks Company. 'There appears' said that learned judge 'so much difficulty in satisfactorily 'applying the parochial of rating by estimating the rent which 'a tenant would give for the subject matter in such a case as 'the present, as practically to amount, nearly if not entirely, to 'an impossibility of doing so satisfactorily.'. The Judge who delivered the judgment of the Court in the Sheffield gas works case, (we are referring to Mr. Justice Blackburn) also admitted the difficulty of determining the case under his consideration. He says—'Indeed the whole subject matter appears to be 'involved in so much difficulty and uncertainty, that we have 'taken much time in considering whether, notwithstanding the 'decision referred to in argument, we could not place the rules 'as to the rating of these companies on more intelligible and 'satisfactory principles, and which should be capable of uniform 'application. We have not however succeeded in laying down 'a rule which would be consistent with the existing legislation 'and decisions on their subject, and would at the same time be 'capable of being satisfactorily worked, and we are strongly 'impressed with the importance of not unsettling the law as 'established by part decisions where we cannot lay down a rule 'which is not open to exception.' He then proceeded to give judgment in the case. Notwithstanding the difficulty which has existed for so many years, and which is constantly presenting itself in most complicated forms, it is the uniform rule of the Courts of Queen's Bench that no endeavour shall be made by it to make an alteration in the words of the acts itself. In fact, as stated by Mr. Justice Phear, they have always declined to do so. Year by year, bit by bit, and case by case, the questions are investigated and disposed of: and the result is an accumulative of practical decisions to which reference can be made when any

Digitized by Google

new case presents itself, and which serve as an authoritative guide for the future.

It is stated by Mr. Justice Campbell, that the investigation of particular facts in questions of rent in India is practically impossible. Can it be that the comparatively primitive condition of things in India, which has been urged as a reason why English precedents should not apply to the case, presents greater difficulties or greater complications of facts than the highly artificial state of things at home? Or is it because the officers whose duty it is to decide these questions in the Mofussil have not the same facilities as those who perform similar duties in England? Surely neither of these reason can be given for this supposed practical impossibility. There is in this country a staff of trained officers whose very business it is to investigate, and who would seem to be far more competent to go into minutiæ and decide questions of detail than any body of country justices at home, and as they are constantly on the spot, they have the more constantly the particular facts under their personal observation. Is the law in India more complicated? Surely not, for though the rule of the Parochial Assessment Act refers to the rent that a tenant would give in the cases we have alluded to as well as in many others (for this is only given as an example), the principle of rents and the relations between a landlord and tenant are almost if not quite in applicable. No tenant would offer to rent a fractional part of a gas works or a portion of a railway station; and a competition of tenants in such cases is out of the question. How then does the Courts of Queen's Bench proceed in solving this seemingly insuperable difficulty? Is it by giving up the principle and by substituting some rule of their own for that laid down by law? Not so, but, on the contrary, the particulars are investigated with laborious care; and the Court is either able to deduce from them the required answer to the case before them, or if it is unable by that process to get a strictly accurate result, it is obliged to fall back upon an approximation. It is an approximation to the truth in the very case before it, and not an approximation to some general rule which may in theory, and may or may not in practice, be the best as a general rule for all.

The suitor then has no reason to complain that a rule which is made for his neighbours is working ruin to him. He knows that to his own case, and to the arguments and facts connected with that alone, attention will be given; he knows that his interests will be closely investigated, and that no amount of intricacy of circumstances will shut him out from consideration.

He has also another advantage over his black brother which

Digitized by Google

should not be overlooked. It is that he has within comparatively easy distance, and in his own country, a tribunal of the last resort, the Court of Queen's Bench; whereas the decision of the High Court in this country may be appealed against to the Privy Council.

Suppose an appeal to be preferred in the present instance to the Judicial Committee of the Privy Council, and they, in accordance with the rule pointed out by Mr. Justice Phear as governing the Superior Courts in England, were to decline to enter into the general question, what would be the result of this costly litigation?

It is the practice of the Court of Queen's Bench, when a case is imperfectly stated to them, to send it back to the Quarter-Sessions for a fresh statement of facts. If that course, which seems a not unnatural one, should be adopted by the Privy Council, this case must be gone through *de novo*. Accurate statement of the facts, or statements of facts as nearly accurate as is practicable, would have to be furnished, and if the question should not be disposed of by the lower tribunals, the High Court would again have an opportunity of considering what is the proper construction to put upon the words 'fair and equitable,' not indeed as a general proposition of abstract philosophy, but with reference to *the particular circumstances of the case before it.*

Digitized by Google

SHORT NOTICES.

Cawnpore by G. O. Trevelyan, Author of the Competition-wallah.

THAT Mr. Trevelyan should write a second book on India, after the success of his series of spirited letters, was exactly what we expected. Gifted with very considerable natural talents, with all the advantages that can be conferred by a successful career at one of our best Public Schools and at that University which worships scholarship and contemns Aristotle, with a keen eye for what is striking or picturesque, and with a special turn for dramatic effect, it was not likely that he would allow his pen to remain idle. Accordingly, he has chosen for his second essay the most startling and affecting Drama of modern times. He has had access to the best series of information: he has visited the spot and stood over the fatal well; he has had ample opportunities of conversing with many men who remember the occurrence of each incident in that sad history: and he has now given to the world the result of his labours, in a volume which, if disfigured by some faults of style and by some errors of fact, is never dull for a paragraph, and will be read by thousands.

Those who take their estimate of the work from the Review which appeared in the *Spectator*, will form a very unfair opinion of the author. The work of the son is there criticised in a violent and one-sided spirit, apparently because the father had disappointed the commercial world with his Budget, while he holds opinions favourable to the maintenance of native rights and prejudices. The Reviews of the *Times* and of the *Friend of India*, without sparing the blemishes, are both of them fair; while they are also laudatory in their estimate of the writer's powers.

Without attempting to review events which are deeply graven on the national heart, or to discuss the causes of the mutiny, as assigned by Mr. Trevelyan, we shall just notice a few salient points in the execution of the work, which seem legitimately to fall within the province of the critic, and the pages of this Review.

We make no doubt that Mr. Trevelyan has diligently perused and re-perused the original authorities on which he relies for his

Digitized by Google

nformation, the depositions of more than three score witnesses taken by Col. Williams, Commissioner of Police, N. W. P., the narrative of Manickchund an astute lawyer, with whom many readers will for the first time become acquainted, the well-known volume of Captain Mowbray Thomson, and the official narratives in which eloquence, for once, does not evaporate in scores of paragraphs, and which possess all the interest of a sensational novel. But, for all his sources of information and in spite of all his diligence, Mr. Trevelyan has fallen into some few errors of fact, and has added certain embellishments of rhetoric, for which there appears to be no good foundation. It is somewhat amusing in the preface to find the Viceroy and the Home Secretary thanked for their supply of copies of the official narratives given "at the cost of 'great trouble to themselves.' Does Mr. Trevelyan imagine that Sir John Lawrence, Mr. Grey, or Mr. Edward Bayley performed the work of that useful class, the Section Writers, or corrected the manuscript when copied, crossing the *t's*, and setting to right errors of punctuation? Every one familiar with the routine of a public office, knows very well that the Secretary, with the consent of the Viceroy or with that of the Initiatory Member of Council, as he is termed, had only to write the words 'grant copies' on a slip of paper, and the 'great trouble' was at an end.

But there are other things noticeable besides a mere pardonable misapprehension of the course of official business. Bajee Rao, who is rightly mentioned as dying in 1851, was, our readers know, not the Raja of Sattara, but the representative of the Peshwa, and it is unfortunate that this statement should appear in a foot note, where it is sure to attract attention. We know of no such production of oriental literature as "an indecent Oordoo work on Mythology" (p. 8). What the author no doubt meant was the Prem Sagar, with its interminable discourses by the worshipful Shakudeva, which is written in Hindi, and not in Oordoo. All mangoes do not taste of turpentine; nor do we think that guavas at all resemble strawberries in flavour, while the custard apple, so far from having no perceptible taste, reminds us of that ardent beverage called *orgeat* which our Gallic neighbours consume in large quantities at Theatres and balls (p. 11). Then why, at page 27, is Runjeet Sing termed the Mithridates of India? It may be very pointed and correct to say that Hyder Ally was, to the nascent English domination, what Hannibal was to the rising genius of Rome. But Mithridates met Lucullus and Pompeius, the best of the Roman Generals, in the field in successive campaigns, while

Digitized by Google

Runjeet Sing was far too wise and acute ever to encounter the *Sahib logue* in the dress of lancers and dragoons commanded by Lake or Ochterlony. Mithridates, moreover, could speak two and twenty dialects, while Runjeet Sing knew little except Punjaubi and perhaps Pooshtoo, and neither in circumstances, nor in geographical position, nor in fate or fortune, did the Punjab Lion bear any historical resemblance to the famous ruler of Pontus.

At (p. 47), Mr. Trevelyan repeats what we cannot but consider his unfortunate statement that the word "nigger" is constantly used by all Anglo-Indians, except Civilians and Missionaries." As far as our own experience goes, we must deny the fact. We have rarely heard the term except from the mouth of a young Subaltern, whom six months experience would teach better. Nigger is no more the term by which Military and Medical men, Merchants, Teaplanters, and respectable brokers, generally designate the natives of India, than is 'interloper' the term by which members of the Civil Service designate the independent and non-official Englishman.

At page 72, Mr. Trevelyan has evidently been misinformed by some person as to the rumours prevalent about the time of the mutiny. He says, 'in January the peasants of Bengal were repeating to each other a sentence apparently devoid of meaning, *sub lal hoga hi*, everything is to become red." By January the author evidently means January 1857, and by Bengal the Lower Provinces, for Mr. Trevelyan is much too accurate to confound Bengal with Hindoostan. But the truth is that the peasants of Bengal had not the remotest conception of any general mutiny or even of any disturbance, until the month of October 1857. In spite of proclamations to the zemindars, against which some officials protested as inexpedient and uncalled for, the ryots remained in complete ignorance. The news was first brought down by two or three native officials in the service of Government, who were quietly proceeding in the autumnal or Dusserah vacation in fancied security to visit Gya, and who had not the faintest idea that anything was amiss until they were stopped at Raneegunge by the sight of red coats and by tales of rapine and war. The rumours which disquieted all Lower Bengal on the subject of the mutiny, were deferred until the spring of 1858, and then they took the shape of an assertion, that 'in three month's time' not a not red, but a 'certain white thing' would no longer be forthcoming; whether this referred to salt, or flour, or white faces, no man could be certain; but the rumours aforesaid did cause much anxiety and even apprehension of grave evils. We speak with the fullest confidence

Digitized by Google

on the subject, and the clearest recollection, as we were then living in a populous district in Bengal, and had every opportunity of watching every turn and change of feeling in the minds of a loyal but excitable peasantry. As regards the story of the chupatties, however, Mr. Trevelyan is both graphic and correct. To page 76 we draw attention because the *Spectator*, in chiding Mr. Trevelyan, appears to have fallen into an error himself. The *Spectator* blamed the author because he represented General Sir H. Wheeler as prating and whimpering. As we read the passage, we take the description to be general and not special, and to apply to those unfortunate old women whose inefficiency caused the sad disasters of Dinapore, Arrah, and Jullundur. Again, in several passages Mr. Trevelyan seems to fall a victim to the snare of sacrificing strict accuracy in order to make a point. It is very true that most energetic magistrates grumble when the judge acquits Tekchand the Dacoit and Karim Buksh the burglar, but no Collector of Cawnpore ever thought himself ill-used because the Revenue Board would not allow him an additional lac of Rupees 'for his pet embankment.' The Public Works, and not the Board or the Collector, are the disbursers of money to be laid out on embankments, and Cawnpore, being a high and dry locality, has little or nothing to do with inundations and embankments. Mr. Trevelyan, was no doubt, thinking of Midnapore and the South-Western districts of Bengal, with the tides of the Indian Ocean, and the rapid rush of the Damooda from the hills.

But after all, these are comparatively small errors which do not affect the general structure of the work, and which are quite consistent with evidence of much power and ability. And it is perfectly conceivable that an author may commit an egregious error as to the parentage or country of the Nana, and yet pourtray that monster's designs, perfidy, and disappearance from the stage after his brief hour of sanguinary triumph, with the strictest fidelity, with graphic illustration, and with historical truth. But the main defect in Mr. Trevelyan's work must be, we think, the perpetual straining after effect, and the incongruity with which the language of the Bible, or the language of the first and greatest of poets, is placed in proximity in the most solemn and affecting chapters, to a liveliness that would be almost out of place in a magazine intended for amusement. On such a subject, some people may object to the use of Biblical language at all, though we freely admit that the terrible denunciations in the sacred Scripture of tyrants and despots, as well as the language of the old Greek writers, are, to our thinking, not inappropriate for such a tale of perfidy and woe. Mr. Trevelyan must have been amused on

Digitized by Google

finding the writer in the *Spectator*, whose classical knowledge is not exactly on a par with his familiarity with the French Revolution, ludicrously mistaking two or three lines of Homer, which would be familiar to Lord Macaulays 'fourth form boy,' for actual slang! But the gravity and solemnity of this language is somewhat startling, when it comes after smart and salient paragraphs describing life in a Mofussil Station, the interior of a Subaltern's Bungalow, the appearance of a courtesan in camp, the creature comforts of an Indian household, the vocabulary of the turf, and the talk of the messroom. It is the contrast which startles and almost pains. The story of Cawnpore can afford to be written in one uniform tone. The colour should have been the most sober neutral tint; the imagination, of itself, will almost light up the scene blood red. But we confess that we are occasionally startled by a *purpureus pannus* tacked on to the pirate's flag with the death's head and bones.

We trust that Mr. Trevelyan may have an early opportunity of profiting by the remarks of numerous friendly critics and of striking out several paragraphs, which only give a handle to hostile critics not his equal in ability. We would suggest to him also, whether it was judicious to recal outbursts of Indian Journalism, belonging to a time when men carried their own lives in their hands, or were trembling for the safety of their dearest friends, or were eager to avenge their assassination under circumstances of atrocity, or were dismayed at the approaching dissolution of an empire. The truth is, as Lord Macaulay himself well remarks, that in such perilous times the feelings and events of cycles are crowded into weeks and days. Things, which men looked on with horror at first, become in an unexampled short space of time, 'familiar, endurable, and attractive.' Many men, who lived through that eventful year of the mutiny, would be pained and shocked if they could see photographed, the successive phases of mental existence by which their hearts, in the course of a few months, had been hardened against pity, roused to undignation, and maddened to revenge. With far greater satisfaction do we turn to that graceful passage in Mr. Trevelyan's work in which he speaks of the vows that may be registered by those who stand over the well of slaughter, in some fine evening in the cold weather, and breathe a prayer that they may be enabled to effect something in their generation for the reconciliation of races estranged by the memory of such terrible deeds (p. 229). But in spite of these blemishes caused by mistakes of detail, introduction of incongruous styles, and questionable taste, the book is one which for depth of interest, vivid and correct description, breadth as

Digitized by Google

well as minuteness of portraiture, and general animation, may well task the powers of Mr. Kaye to emulate, and may cause him to expend additional care on this chapter of his forthcoming History. Many of the most polished and practised writers of the day might be glad to have written divers passages of the work. The general conception and execution is that of a man who has carefully collected and calmly estimated his forces, and who has fairly risen to the heighth of his argument. The errors are those of a youthful and earnest temperament, of a generous spirit, and of that undue historical imagination which Arnold was the first to ascribe to Niebuhr, without some portion of which the most erudite and correct of historians will lie uncut on the shelves.

We have neither the time nor the space to devote to the incidents of the well-known story, or even to select any of the more striking passages. But we desire particularly to draw attention to the pages which describe the heroic, long, and yet hopeless defence of the entrenchment: the descent of the unsuspecting survivors into the jaws of death, on the dawn of that memorable day in the end of June; the explosion of treachery, the marvellous passage down the Ganges of the few survivors; the protection afforded them by the loyal native gentleman of Oude, whose fidelity deserves that his name should not only be eternally held in remembrance, but also that it should be correctly spelt as Digbijoy Sing: and the arrival of the fugitives, the last of a host, in the English Cantonment, after a fashion which somewhat recals to us the famous passage in Kaye's Affghanistan, where Dr. Brydon after the Cabul Massacre, was discerned one afternoon, on a jaded pony, making his way to the walls tenanted by the Illustrious garrison of Jellalabad.

We may remark that though Mr. Trevelyan emphatically heads one of his chapters as the Massacre, there are in reality no less than three terrible scenes to which this term can be applied. There is the slaughter of hundreds, in defiance of the capitulation and the safeguard, at the ghaut on the Ganges. There is the attack and murder of the fugitives who escaped from Futtehghur only to be stranded on the suburbs of Nawabgunge and to fall a victim to the soldiers of the Nana. And, lastly, there is the butchery of the innocent and helpless women and children on the 18th of July; which, for barbarity and ruthlessness, casts into the shade the Sicilian Vespers, the night of St. Bartholomew, the Massacre of Patna in October 1763, or whatever other blood-stained event may have been dictated by superstition and political hatred, and are handed down by Historians for the execration of mankind.

Digitized by Google

Let no man, from one or two casual expressions let fall by Mr. Trevelyan as to the treatment of natives by Europeans, imagine that he does not do ample justice to the noble behaviour of our countrymen and countrywomen in those trying events. The bravery, the dauntless heroism, the unshaken endurance of our soldiers: the purity, the devotion and the self-denial of our ladies: the fidelity of those natives who unhesitatingly trusted themselves to our fates, and fortunes, and the unconquerable determination of the commanders and privates who composed the avenging force, all are described with an honest praise and a genuine sympathy, which can leave the most ardent worshipper of his country nothing whatever to desire. On the other hand, we think Mr. Trevelyan quite justified in reminding his readers that the stories which made the ears of respectable Englishmen to tingle at the commencement of the mutiny, have been shown to be fictions almost of the pure and unadulterated kind. No ladies were dishonoured at Delhi, none were disgraced by the Nana, and the daughter of Sir H. Wheeler never acted anything like the part of Judith, nor avenged herself on the sowar, nor jumped down the well to perish with her countrywomen. Mr. Trevelyan is also quite right in warning readers against putting any credence in stories of inscriptions left by the helpless captives on the walls of the slaughter house of Cawnpore. The fate of the sufferers needed no such stimulants to arouse indignation in the army. The writing on the wall, we know, was an after thought, conceived and carried out in the worst possible taste.

As we read and write, the series of events in those long three months of the summer of 1857, dimmed slightly by the progress of time and events, again rises before us in all its intensity, vividness, and horror. We remember the fearful rumours of the bazar: the few lines in the *Englishman* and *Hurkaru*, recording in letters of blood the terrible fact that a whole society had been cut off: the extorted confirmation of the half incredulous officials: the rage and frenzy of the English community: the arrival of the avenger; the chivalry of Outram, the consummate strategy of Havelock, and the stern and unyielding retribution of Neill.

It is futile to ignore the talent or to decry the motives which can produce such a thrilling work as Mr. Trevelyan's Cawnpore. We may safely predict for its author an eminent post in the republic of letters. And even if he should not be successful in that political contest in which he is, in all probability, at this moment engaged, and if he should find the electors of Tynemouth unable to remit the fascinations of ducal interest

Digitized by Google

and a ducal nominee, we may be assured that eventually he must be returned to Parliament by some constituency which is not afraid of young men of talent, and that he will pursue English politics as a regular profession, in the spirit lately expounded to the Electors of Chester by the Chancellor of the Exchequer, while he will not be indifferent to the claims of that great dependency in which he has every right to feel a warm, permanent, and hereditary interest.

As we correct the proofs we are glad to congratulate Mr. Trevelyan on adding M. P. to his name.

---

1. *A Manual of Gardening for Bengal and Upper India, by Thomas A. C. Firminger M. A.; Chaplain on the Bengal Establishment. London, R. C. Lepage and Co.*, 1, *Whitefriars Street, Fleet Street, and Dalhousie-Square, Calcutta*, 1864.

A GOOD Manual of gardening has always been a great desideratum in this country, more especially in the Upper Provinces. Mr. Firminger has enjoyed peculiar facilities for supplying this want. By a residence of several years at Ferozepore, he tells us, he made himself well acquainted with the cultivation of a garden in the North-West Provinces. Afterwards, at Howrah, by the practical knowledge he acquired in his own garden, as well as by observation of what was done in others, Mr. Firminger was able to make himself master of the practice of gardening as applicable to Bengal. He had, besides, here, ready access to the Government Botanical Gardens, and to those of the Agri-Horticultural Society, and for six years, moreover, held the appointment of Judge at the Horticultural Shews in Calcutta.

If then Indian experience, and especially Indian gardening experience, be one of the requisites for writing a book of this character, Mr. Firminger has undoubtedly shewn that he possesses it. But an examination of his book proves that he has other and not less important qualifications for the task. Every subject that is treated of, is thoroughly sifted, and all the details of it are thoroughly examined. Mr. Firminger evidently possesses a true gardener's love of his subject, and will not leave a single portion of it, until he has exhausted it. We do not believe that the most practical gardener in India will find that many details have been omitted in any of the subjects taken up. Nor must the reader imagine that everything has been sacrificed to detail. The general question of gardening is equally well considered, and the work abounds with practical hints on the manner in

Digitized by Google

which gardens even of the smallest size, can be laid out. The first chapter is devoted to the climate, the various soils, and the manures requisite to fertilise them. On the last named of these subjects, a most important one to the gardener,—the information given is full, and detailed. Not every one is aware that soap-suds form an excellent manure, and that the basins and chilum-chees daily emptied by the bearer, might be employed beneficially to revivify fading plants. This would appear to be especially the case with respect to rosetrees, figtrees, orchids, cabbages and cauliflowers. The application of other manures is also detailed at length.

The second chapter brings us at once into the formation of the garden; the mode of laying out lawns, hedges, &c. On the subject of laying out a lawn a capital hint is given us. It is to take up by the roots a quantity of doob-grass, to chop it tolerably fine, mix it well in a compost of mud about the consisting of mortar, and to spread this out thinly over the piece of ground where the lawn is required. In a few days, the grass, it is stated, will spring up with great regularity over the plot. The systems of irrigation and drainage, the subjects of conservatories, decorations, implements, tatties, labels, vermin, and weeds, are also treated of in this chapter. The pages on vermin are especially interesting and useful. Every gardener must have been, at sometime or other of his career, terribly put out by the destruction caused by insects to his, but for them, promising plantations. The great enemy of the Indian garden has, from time unmemorial, been the Ant. One of the means to get rid of this nuisance, Mr. Firminger extracts from the Journal of the Agri-Horticultural Society. Upon the means of destroying ants, he states 'Captain Weston makes the following 'remarks: ''the usual way of getting rid of the red ant is, I ''believe, by powdered turmeric or huldee. I, however, found ''a plan my mâlee had last year more successful. When ''the seeds were sown, a cocoanut, with the kernel in it, was cut ''in halves and laid near the seeds; the ants flocked to it, ''and when it was full of them was immersed in hot water. ''The nuts were watched during the day, and in three days ''no more ants made their appearance. A few days after they ''made their appearance again, when they were treated in the ''same way, and again similarly disposed of. My plan, when ''I find a nest of red ants on the road, or any part of the ''compound, is to *bund* the spot round with clay, and pour in ''boiling water, and I have found it efficient in the destruction ''of the red ants.''

Mr. Firminger belongs, we observe, to the anti-sparrow com-

Digitized by Google

munity. It cannot be denied that sparrows do effect considerable injury in a garden, but it has lately been shewn in Europe, that when they have been destroyed and rooted out, the gardens suffer far more from the caterpillars, slugs, and other insects, of which the sparrow is the natural enemy.

The third chapter, which closes the first book, is devoted entirely to flower seeds, and their culture; to the mysteries of cutting, grafting, budding, priming, &c.

Perhaps the most really valuable chapter is the first of the second book on the subject of culinary vegetables,—a subject which it fairly exhausts. Subsequent chapters give us details regarding dessert fruit trees, edible nuts, ornamental annuals, ornamental trees, shrubs, and herbaceous perennials. It adds not a little to the value of this work that it is so profusely illustrated. Every difficult operation of grafting, decorating, dressing ornamental plants, cutting, or transplanting, is thus made easy to the young gardener. The work too has the advantage of a most copious index.

From the little we have written, it is evident that this book is a necessity for every Indian gardener. It takes up a field which had not previously been occupied. It is no doubt very pleasant, after years of trials, to have gained wisdom and knowledge from experience, and to be able then to dispense with any book-instructor. But the years that must elapse until that state of perfection be reached, must often be years of disappointment and useless toil. It must be remembered too that the culture of Bengal differs from the culture of the North-West, and that the successful gardener of Peshawur would find himself a novice in Calcutta. A book of this sort would be eminently useful to the managers of the Soldiers' Gardens, shewing them as it does, the times and seasons in which to plant, to sow, to gather, to manure, &c., &c. Its success in India has been very great, and the first edition, we are informed, has been almost entirely exhausted. This no doubt will give an impetus to the gardens of some, but, on the principle of fairplay, the work should be in the hands of all.

The Dolomite Mountains, Excursions through Tyrol, Carinthia, Carniola, and Friuli, in 1861, 1862, *and* 1863, by Josiah Gilbert, and G. C. Churchill, F.G.S., London, Longman, Green, Longman, Roberts, and Green, 1864.

What right or title, we think we hear some of our readers exclaim, has a work on Carinthia, Carniola, Friuli, and Tyrol to a place in an Indian Review? What connection have the

Digitized by Google

Dolomites with India? We believe, we shall be able to shew that of the many works which issue yearly from the London publishing houses, few have appeared of late years which have more really interest for Anglo Indians, which have a more direct or a more pleasing connection with those whose lot it is to spend many years of their lives in this distant country, than the work we are now reviewing. The reason may be given in a few words. The Dolomites and the glorious country in which they raise their bare and rugged heads, are on the high road between England and India.

For those Anglo-Indians who go home to devote what energies still remain to them to strive after the hollow pleasure of entering into London society, for those who care never to to leave the hot pavement of London or the congenial retreats of Bath and Cheltenham, this notice is not written. It is intended for those whose energies Indian life has not altogether blunted, who do not believe that a supremacy in everything Indian, is supremacy in everything that is good, and desirable, and worth-having in the world; who scorn the idea that a residence in India necessarily makes them superior to those they have left behind them in Europe; who do cherish kindly feelings towards their countrymen, and who even share the opinion that amongst foreigners there is much to be admired and often to be imitated.

We have said that the Dolomites are on the direct route to Europe. We will shew how. In one month after leaving Calcutta, the homeward-bound traveller can find himself, if he chooses, at Trieste. We say, if he chooses, because it is optional to him to land at Brindisi or Ancona, and to see a little of Italy, before starting on his mountain tour. It is easy too, to make an excursion from Trieste, a sea and land route to Venice being alike available. But being at Trieste and resolving to go to England through the Dolomite region, he takes the rail, and proceeds to Adelsburg, about an hour's journey. Or, if he prefer taking a glimpse at the hills behind Trieste, 1,800 feet above it, including a peep at the Emperor of Austria's breeding stud,—one of the finest in the world,—he can hire a carriage and drive to Sessana. A glorious drive it is. From the summit of the hills, a view can be obtained on a fine day of Venice itself; and the peep at Trieste with the tideless Adriatic at its feet is inexpressibly lovely. We have named Adelsberg for the first halting place because it is impossible to pass by that place without exploring its caves. The effect of these when lighted up by torches, is grand and beautiful. The traveller is suddenly transported from the fresh, balmy, sunny air of the outer world, into the heart of the earth, or, as it first appears, a gloomy

Digitized by Google

cavern, with no light, but that afforded by the torches of the guides. As he goes on however, he finds himself entering into a succession of vast halls, vaulted with rocks, and supported, seemingly, by pillars of alabaster; then threading his way through narrow passages, the rocky sides of which sparkle like diamonds; again, he enters what appears to be the nave of a splendid cathedral on the rocky altar in which is a visible representation of the crucifixion,—so formed by Nature,—the rock having grown into that shape. Under the influence of these wonders, the sun, the trees, the outer air are all lost sight of. It seems like a passage to the lower world, and to confirm the notion, just below the traveller's path, there runs a little river, black as the Styx, springing apparently from the heart of the earth, and rolling its course no one knows whither. It is a grand and impressible sight, and the spell karcely leaves the traveller till the flood of light bursting in at the exit reminds him, that

> "The Earth hath wonders, as the water hath,
> And these are of them."

Adelsberg is in Carniola. Thence the traveller can proceed by rail, either to Laybach, the capital of that province, or to Cilli in the more northern province of Styria. At one or other of these places, he leaves the rail, and commences his mountaineering excursions. The roads from those two places unite at Krainberg, about twenty-five miles from Laybach and considerably more from Cilli. The route from Cilli however, though longer, and in some parts, extremely difficult, is generally preferred by the enterprising traveller, on acconnt of the difficult mountains he has to cross over. Starting from Cilli the 'roughing,' which to any one worthy the name of a traveller, is the highest form of luxury, begins soon after departure. But the route from Laybach, though less difficult, has some advantages. The traveller follows the course of the river Save, which, poached on considerably at Laybach, becomes some fifteen miles from it an admirable trout-stream. From Krainberg, a picturesque old town, he still follows the valley of the Save to the lake of Veldes,—the Gem of Carniola,—and one of the most beautiful spots in Europe. At the very comfortable inns at this place, he can stay and bathe in beauty for days and days,—obtaining admirable sport in the neighbourhood. Leaving it, and still pursuing the course of the Save, he makes his way to Kronau, where it rises. Kronau is a little village, with poor accommodation, but there is better at Wurzen, a few miles further on. Here the traveller is in the track of the Dolomites,—a group or rather several groups of mountains

Digitized by Google

unlike any other mountains, and seen 'nowhere else than 'amongst the Alps.' 'They arrest the attention by the singularity 'and picturesqueness of their forms, by their sharp peaks or 'cones, sometimes rising up in pinnacles or obelisks, at others 'extending in serrated ridges, teethed like the jaw of an alligator; 'now fencing in the valley with an escarped precipice many 'thousand feet high, and often cleft with numerous fissures 'all running vertically; they form a striking contrast to all 'other mountains, in their dazzling whiteness, and their barren 'sterility.' Again they are described as 'imparting an air of 'novelty and sublime grandeur to the scene, which can only be 'appreciated by those who have viewed it.'

It must not be supposed that all the mountains are of this character. On the contrary; it is the variety of foliage in others, and the striking contrasts, that constitute one of the charms of this route.

Kronau or Wurzen make capital head-quarters for fishing. The last named was the favourite resort of Sir Humphrey Davy. It is likewise one of the few spots where chamois-hunting can be obtained in perfection without much trouble. Leaving Wurzen, two routes open themselves to the traveller. One by Villach, takes him up by the valley of the Drave, and thence by Bad-Gastein, to either Salzburg or Innsbrück, an interesting, but not the most interesting, route. The other, which we propose to follow, leads the traveller right through the heart of the Dolomite country, a country which is almost unexplored, but which possesses numberless charms for the man of science, the botanist, the sketcher, and the sportsman. From Wurzen he proceeds to Tarvis, where there are tolerable quarters, compared with some others,—and thence into the valley of the Gail. This is one of the finest valleys in Europe. The accommodation is homely and even rude, but the people are kind-hearted and attentive, and after all, the wants of a traveller are few. The first village after entering this valley, at which the traveller should stop, is St. Hermagor, picturesquely situated at the point where the valley of the Gitsch joins that of the Gail. Here the quarters are luxuriant. 'Two small, but 'quite elegantly furnished rooms' writes Mr. Gilbert, 'opened 'on each side of the landing place, and a funny old woman, 'assisted by an active lad, took us briskly in hand.' It often happened that instead of, or in addition to the smart lad, is a pretty and active Kellnerin, and we can speak from our own experience, when we say that the kind-hearted attention of these "Kellnerinnen" form one of the attractions of Germany. We have seen two kellnerinnen waiting upon half a dozen

Digitized by Google

tables, at the same time with an aptitude, a grace, an assiduity, which would put to shame the legions of *khidmutgars* to whom we are accustomed in this country. Then they are so anxious to please, so fond of hearing of other places, their wonderment at strange stories is so genuine, and they are so delighted with a present at which a 'Jeames' would turn up his nose. Long may they flourish! Without their kind aid, the lot of the traveller would often be a hard one!

St. Hermagor is a pleasant place to stop at for a few days: from it, excursions may be made to the Weissen See, and to the various mountains amongst which it lies buried. Thence still up the Gail valley it is twenty-two miles to Kötschach, where there is a comfortable inn. Thence, leaving the Gail valley is a carriage road to Lienz, whence the traveller has a choice of many routes. He can proceed to Heiligen Blut,—so named because in the Church is preserved a vial of the Sacred Blood, ascend the Gross Glockner, and cross the Rauriser Tavern to Gastein, or he can go southward into Italy, or following the route of our travellers, he can proceed by Innichen,—a good resting place—Cortina,—very comfortable,—then crossing the Italian frontier, to Caprile, near Mount Marmolata, rougher and dearer than on the German side, then to Campitello, back again to Germany,—Ratzes,—inconvenient quarters but a most enticing country,—and thence to Brixen or Botzen on the high road. From either of these places the choice of a road home is easy, so various are the routes. But the traveller is in the land of the tourist, and we will follow him no further.

The route we have pointed out is the most direct to England, and it is also the least explored, but there are many others which are also attractive. That, for instance, from Gratz, itself a charming city, through Styria, coming out at the Grundl See, and thence over the Noric Alps to Bad-Gastein, Windisch—Matrey, Innsbrück, the Stelvio, and the Bernina, into the magnificent valley of the Engadin, itself six thousand feet above of the level of the sea. All these routes are charming, and for the traveller from India in tolerable health, they are far superior to the ordinary journey *viâ* Southampton and Marseilles. They are quite accessible to ladies. Messrs. Gilbert and Churchill were accompanied by their wives. But let travellers beware of taking with them much baggage. Here is the amount to which the members of this party were confined. 'Our baggage,' writes Mr. Gilbert, 'a leather bag a piece, and a couple of knapsacks, with the case already mentioned' (a bulky leather case for botanising purposes)—'can all be carried on one stout horse or mule, though more

Digitized by Google

often it is divided amongst three or four men. Umbrellas, which will serve for walking sticks or for protection from the sun, and light cloaks, strapped to the waist, form our travelling gear.' Of the almost absolute necessity of a stout umbrella, as a protection from the sun, the writer of this notice can speak from personal experience. It was his misfortune to have made one of his tours without one, and the experience of the terrible power of the sun made him resolve never again to start on an expedition without so valuable an adjunct. It is necessary to add that in these mountain excursions, ladies find large crinolines to add much to their difficulties, and they generally abandon them after the first day.

To the Anglo-Indian, a little tour of this sort, on European ground, before reaching England, is invaluable. It enables him completely to throw off India, with the recollection of its jealousies and littlenesses. It gives a buoyancy to his spirits, an elasticity to his step, a quickness to his intellectual faculties, which no other scenery and no amount of fashionablet ouring could impart. He feels that the world is worth far more than he had any conception of, when his ideas were confined in a narrow circle of local politics, and he arrives in England, his soul filled with the wonders of nature,—recollections of red-tape indefinitely banished. We have scarcely done justice to the book we have professed to review, but to our minds it is admirable, and we can refer our readers to it with confidence. It is faithful in its story, and it is written in a true and genial spirit. It abounds in details too long to give in a short notice, and there are many other routes described, besides that of which we have here culled the outline.

Five weeks' sport in the interior of the Himalayas, together with a description of the game found there, also a few hints regarding equipment &c., by Captain H. V. Mathias, H. M. Bengal Staff Corps. London, Franz Thimm, Bookseller and Publisher, 3, Brook Street, Grosvenor Square, 1865.

If every sportsman in this country would follow the example of Captain Mathias, and would give in a simple form the account of his adventures in regions but little known to the general world, what an amount of useful and interesting information would be collected. There are few real sportsmen who are not more than mere sportsmen, who do not possess a smattering of geology, botany, astronomy, or some other science. The sportsman too is the pioneer of civilization. He penetrates into the

Digitized by Google

heart of savage life, he sees men as they lived in the old rude ways; and his reports on this subject are always interesting, very often full of information.

In the present day the English sportsman is roving all over the world. The columns of the *Field* newspaper are often filled with accounts from Hungary, Transylvaina, Illyria and other spots, little visited by the ordinary traveller. These letters give not merely an account of the actual sport, but a description of the mountains to be climbed, the manners, the eccentricities, the peculiarities, of the people met with, the relationship between the lord of the soil and its tiller, and other items full of interest to a thinking man.

It is no doubt partly owing to this cause, that the sportsman occupies a far higher position in the social scale, than he did some thirty years ago. A sportsman of the present day is always an ardent lover of nature, he has generally read much and travelled much; he is free from many of the vices which cling to those who live chiefly in great cities, and his very wandering propensities enable him to enjoy civilisation with a keener zest, than those who, by a long acquaintanee with it in one particular spot, are apt to lose something of their large-mindedness.

Captain Mathias's book does not pretend to much. He gives, as he professes, the result of his experience of a five weeks tour in the hills. But he writes in a style so frank and easy, so pleasant and natural, that we regret his tour was not extended to six months. We shall hope to hear of him again. His book is calculated to be very useful to any one visiting the interior of the Mussoorie Hills. The suggestions are those which resulted from practical experience, and these are always of the highest value. During his tour, Capt. Mathias was not fortunate enough to meet with much game, though his bag was seldom empty, but the time was limited. We hope, as we hinted before, that he will take another excursion of six months' duration, and give us his experiences of that.

RA
25

Digitized by Google

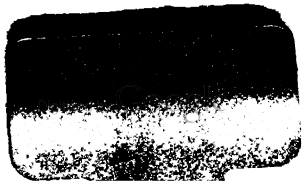
Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

FEB 16 1961



Digitized by Google